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From the Governor to the Legislative Council & House of Representatives

48

Gentlemen of the Legislative Council & House of Representatives.

I have read with lively emotions your affectionate address of yesterday - Be pleased to accept my sincere thanks for the pleasure you manifest on the arrival of myself and family.

While we view with just indignation the aggressions of foreign enemies and the machinations of internal foes, the promptitude with which our citizens turn out to repel both is calculated to afford us real satisfaction, and I fondly hope that the zeal and patriotism exhibited by the people of this Territory in the cause which I am lately passed will ensure to them both at home and abroad that portion of praise so justly their due.

It also affords me peculiar pleasure to find that the officer who has conducted the Executive Department through those stormy periods has deserved so well - His great reward will be in the thankfullness of his fellow Citizens.

I should prove unfaithful to my own feelings, were I to conceal the pleasing sensations excited by the confidence you repose in my attachment to law, order & good Government and a determination to maintain the honor, prosperity & Independence of our Common Country - In these are comprehended the great cardinal duties both of the citizen and the officer & ought to be pursued with an unremitting step.

Accept, Gentlemen, my warm acknowledgments for the address which you tender, and allow me to offer you in return assurances of my confidence in your Zeal to promote the public good.

(Signed) Robert Williams

Washington
Jan.y 28th. 1813

Washington Jr. 13th 1807

50

Sir.—

Your two Notes the one without date the other under that of yesterday I have this moment received — Without animadverting on the unusual style in which you have permitted to yourself — I can only say that from the Judicial proceedings in this Territory you cannot be considered in any other light than as a fugitive from the laws of your Country — With those you are too well acquainted not to know that it belongs to a Department different from mine to determine as to the nature of your offence, and to decide as to the manner in which you are to be treated, — Hence you must see it would be as improper as it would be undignified in me to enter into any Stipulations as to your surrender — In Justice to Myself, however I will observe that so long as I have the honor to preside in this Territory I shall never use the Military, except in aid of the Civil Authority and that if you submit yourself to this you may be assured it shall "be ~~given~~ extended towards you within the limits prescribed for other Citizens" Similarly situated —

I am Yours &c

(signed) Robert Williams

Col. Aaron Burr —

Washington March 1st 1807

Sir

I am informed that Aaron Burr, whose escape from the Custody of the law I have announced by a proclamation has been arrested, and is now in your custody —

It is proper that Mr. Burr should be sent immediately to the City of Washington, and Silas Dinsmore Esqr. has been Selected as a proper character, to take charge of and, Conduct him thither — You will therefore deliver Mr. Burr into his Custody —

Although Orders are given for Mr. Dinsmore to receive aid from the Militia, it is expected you will also afford such or further, within your power, as exigences may require

I am yours with Respect

Robert Williams

Lieut. Col. Em. P. Gaines —

(signed)

Washington March 1st 1807 —

Sir

52

I was informed last evening by an express from Lieutenant Gaines, that Col. Burr had been arrested under my Proclamation near Fort Stoddert, at which place he was confined. I have this day dispatched our mutual friend Silas Dinsmore Esq. to that place, with the necessary orders to take charge of him, and conduct him to the City of Washington.

Although Mr. Dinsmore has a commission as

the route and manner of doing this, it is understood that he may bring him to Natchez and take him round by water in one of the Publick armed vessels as most safe and eligible, this however is to remain incog; except with Dinsmore Capt. Shaw and myself, and it may be proper to be the case in Orleans except yourself and the Govenor.

I have advised that Mr. Burr be taken on, under Commitment from the Judge of the District which he is authorized by an act Congress to do. This, at the same time that it may be the most legal, will guard his discharge by any of the intermediate Civil Authorities, under the Writ of habeas C

I wrote you fully on the 25th. ultimo respecting the Proceed had in this Territory relative to Burr, Floyd, Dyer & others — Since which no has taken place worth notice, except that Floyd has given bail and started Kentuckey.

(Signed) Robert Williams

Genl. James Wilkinson

Sir

53

Washington March 1st 1807

Understanding that Aaron Burr whose escape from the Custo of the Law has been notified by my proclamations is arrested and detai within this Territory, and it being expedient that he should be sent to the Seat of the General Government I have thought proper to avail the pu with your services for that purpose — you will therefore repair with all possib dispatch to Fort Stoddart where I am informed he is detained, and are hereby authorised to receive the said Aaron Burr, and convey him safely to the City of Washington there and there submit him to the orde the President of the United States.

In doing of this you will at the same time, that you regard the interest of the United States in conveying him safely consult the ease and comfort of Mr. Burr Consistantly with his rank and th in life, and the common principles of Humanity. — To effect this yo are authorised to incur all and any reasonable and necessary expenses which the faith of the Government of the United States are hereby pledge to indemnify you for, as also your services in this Respect.

Silas Dinsmore Esqr

(Signed) Robert Williams

Washington M.T. March 1st 1807

54

Sir

By last Mail I gave you a full detail of the proceeding had in this Territory relative to Burrs Conspiracy and of his escape - yesterday I was informed of his being arrested in consequence of my Proclamation, and detained at Fort Stoddart - I have thought it advisable to request the Necessary steps to be taken for sending him on to the seat of the General Government - and have employed Silas Dinsmore Esqr who is now here, to take charge of Mr Burr, and have him conducted accordingly.

I have the Honor to be very Respectfully

James Madison Esqr
Secy of State

(Signed) Robert Williams

Washington M.T. March 1st 1807

Sir

56

Mr Dinsmore comes on for the purpose of conducting Col Burr to the Seat of the General Government - Such aids as he may stand in need of from the Militia, you will as my aid de Camp upon order to the Col of your Regement to furnish, unless it can be afforded otherwise, which I presume can be redily done

(Signed) Robert Williams

Major Nick. Perkins

Washington March 1st 1807

Sir

55

Mr Dinsmore is employed for the purpose of conducting Col Burr to the Seat of the General Government - I trust you will have no hesitation in making the necessary Commitment for that purpose. - Could you go on yourself I should be glad. I refer you to Mr Dinsmore for particulars

Judge Toulmin

(Signed) Robert Williams

Washington March 1807

Sir

57

On the information you gave me yesterday respecting a suspicion that some Arms and Military Stores were deposited on the Mississippi near the mouth of the Bayou Pierre, by some of the party belonging to Col Burr I have thought proper to order a search to be made - and do hereby request you to undertake this service, any reasonable expences you may be at in this respect, and in obtaining information respecting this business shall be allowed you

Mr Andrew Marschalk

(Signed) Robert Williams

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Sir

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Washington March 2d 1807

The inclosed affidavit informs you of the conduct of Lieut. Jackson at the Chickasaw Bluffs — The Complaint being made I have thought proper to make application to you previous to taking measures against an officer under your command, knowing that you will give your aid in bringing him to Justice, by appreating the least inconvenience to the Publick in consequence of his being taken from his Command by the Civil authority —

I am apprehensive there is too much reality in his having given to Burrs plans as he came down —

The Agent Mr. Peterkin will remain here tilly your answer is recieved, indeed he thinks himself not safe in returning as long as this officer is there in Command, although the publick buysiness requires him to bear his

I have the Hon. to be &c

Robert Williams

Gen. James Wilkinson

59

Washington March 2d 1807

Sir

Saturday evening I was informed by an express from Lieut. Gaines that Col. Burr had been arrested near Fort Stodart and was detained at that place —

Yesterday Silas Dinsmore Esq. left here with the necessary instructions to take charge of Mr. Burr and conduct him safely to the Seat of General Goverment — Mr. Dinsmore has a discretion as to the route & mode of conveyance, and will go on with Mr. Burr himself — It is probable by water may be thought the most eligible, in that case he will bring Mr. Burr to Natchez, and go round in one of our armed publick vessels, indeed such is the understanding but to be kept in coy except between Dinsmore, Capt. Shaw and myself, you will please let it remain the same way except between yourself and the General. — I have advised that Mr. Burr be taken on under a Commitment from the Judge of the District agreable to the act of Congress in such cases as being the most legal, and which will prevent the intermeddling Civil Authorities from discharging him under the Writ of Habeas Corpus

I have the Honor to be very Respectfully &c

His Excellency

Governor Claiborn

Robert Williams

Washington March 20th 1807

Sir

69

On my arival here in January the Country was in considerable Commotion relative to Colo Burrs Conspiracy — A portion of the Militia of this Territory on duty and under requisition in conformity to your Orders and instructions on that subject — A part of the expences incurd remain'd unprovided for, and as my arival terminated the Secretary Mr. Meads power to make such further provision in compliance with his request I have drawn on you the following Bills towards that object viz in favour of Mathew Ellis for Dollars $427 — Michael Snyder 515.50 Cts Basil Abrams 570.25 Cts

The necessary Vouchers were promised by Mr. Mead at a short period, so that they might be forwarded to you, and which has prevented my sending on Letters of advice before this under an expectation that by every succeeding Mail I should be furnished with them, as well as an account current of the whole amount of expences in this behalf incurd — But Mr. Meads indisposition and absence from his post has prevented this being done, and perhaps may continue to be the case for a few weeks longer. — I therefore advise you of these Bills, and that as soon as I can be furnished with the necessary Vouchers together with an account of the whole expenditure, they shall be forwarded, — I will nearly observe that from the information of the quarter Master these bills together with those drawn by Mr. Mead previous to my arival will about Cover the whole expenditure including a considerable amount paid for arms and Ammunition which was purchased by the Order of Mr. Mead the most of which still remain on hand. —

Will you please inform me how and in what manner I am to provide for the payment of the Militia of this Territory called out on this occasion.

The Hond
Henry Dearborn

(Signed) Robert Williams

Washington 27th March 1807

Sir

Your letter of this date, relative to the outrage committed on Mr. Evans, by some of the Sailors, I have this moment recieved, and with some degree of surprise — because I have for two days hourly expected a communication on that subject of a very different nature, and which would enable me to take the necessary steps to possess the offenders in case they were without the Jurisdiction of this Territory, or in case resistance should be made to the execution of process, and to take such other measures as the nature of the case might require — I now take the liberty to express a hope that this will

be the case in due time to effect what ought to be done before it be [illegible]
The letter you allude to I have never seen— Neither is it certain (the Sheriff will inform you) that I directed the return he made on the I suggested what I presumed ought to be the return in order to meet the facts, and to warrant such other proceedings as might be necessary to bring affair before the executive authority so as to claim its interference—

Samuel Brooks
J. L. Claiborn } Esqrs

(signed) Robert Williams

Washington March 28th 1807

Sir

In consequence of an informal application made to me late last evening by Justices Brooks and Claiborn relative to a riot by some of the sailors in the City of Natchez a few days ago, in which you are stated to be the only injured person, I immediately addressed them a note suggesting what would be proper to be done by them so as to authorise the Executive to interpose in the affair which Note, in order to save time I refer you to.—

From a second Note I have just recieved, by Mr. Stout in reply, those Gentlemen still neglect to furnish me with such proceedings as will warrant my official interference in your behalf, or even with what they may have done respecting this riot.

Should any further neglect take place, from any cause whatever will you make it known to me and immediately apply to some other Judge or Justice to take the necessary steps &c.——

Should any impediment to the executing of process as usual Jurisdiction or force exist, beyond the reach of Civil Authority, which I presume may be, as to the first the Judge or Justice will certainly make it known to me, together with a full statement.

Louis Evans Esqr

(signed) Robert Williams

Gentlemen

Washington March 28th 1807

Your Joint letter under current date, respecting a riot in the City of Natchez and its vicinity, I have recieved.— You are fully informed, it is not conceived to comport with the duties of the Executive Department of this Government, to enter into any kind of detail

investigation with the Examining officers in any thing concerning their official conduct much less direct them — Notwithstanding I may and shall ever be disposed to hold free and unofficial conversations in allusion to them.

(signed) Robert Williams

Samuel Brooks
Ferdinand S Claiborn } Esqrs

Washington March 29th 12 oclock 1807

Sir

I have but this moment recieved by a Messenger your letter in answer to my note, sent by Mr. Stout yesterday from this place ½ past 12 oclock which he intended delivering in one hour —

The letter to you was written in great haste knowing no time ought to be lost, as it was said some of the vessels to which the rioters belonged were about to sail shortly —

I recollected after Mr. Stout had gone with the letter, that I had in the hurry of business sent you the copy of my letter without signature; but as I had, for the want of time, trusted him, Mr. Stout to communicate considerable to you on this subject, I supposed it would make no difference. —

In order Sir, that the necessary steps may be taken to bring the offenders to punishment before they depart, I now omit a detailed answer to your letter, or to say any thing further on the conduct of Justices Brooks & Claiborn And invite you to furnish me with a charge against the offenders through some of the Judicial officers of this Territory, and the reasons why their process cannot be executed otherwise and without which I cannot properly take Cognizance of the affair. —

The verbal application you made to me, I could take no further notice of, than I did — refer you to the civil authority, and understood in the same way the offenders were out of the reach of process issuing from this Jurisdiction, — I sent for, and had an interview with Commodore Shaw — and Capt. Jones — Informed them unofficially what would take place — that the Offenders would be demanded by me, on a representation which was about to be made to me on the subject. —

I understood them both to say a delivery of the rioters should be made. —

(Signed) Robert Williams

Louis Evans Esqr.

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Washington March 30th 1807

Sir

Your Note of today I have recieved also a letter from Justice Brooks by the same Messenger, with some inclosures relative to the rioters by whom you were injured, which is by no means such a communication will authorise the interposition of the Executive authority, or even shew that it necessary or required in aid of the Judicial—

The Judges Communication is "agreable to the request of Cole Clai I have inclosed to you" &c It is true I may know as other individuals all the Circumstances why the Offenders are not arrested &c but this will no suffice, It must be officially stated to me and the object for so doing.

Although there may appear a degree of officiousness in my givi this buysiness any attention except in consequence of a proper applicatio at a seasonable times and place, the attempt to afford you Justice and punish those rioters has been so bungled that I decline with the Gentle Justices any further correspondence on the subject, and have determined take a ride to Natchez in the morning when I shall expect to see you.

Louis Evans Esq.

(Signed) Robert Williams

Washington 1st April 1st 1807

Sir

I am officially informed by Samuel Brooks and Ferdinand L'Cla two of the Justices of the peace for this County that on the 23d Ultm a numbe of Sailors, belonging to the Squadron at anchor opposite Natchez, under the command of Commodore Shaw, came on shore, and in a riotous and disorderl manner entered and searched the dwelling House of Lewis Evans Esq. beat and ill treated his overseer &c— They also state that process has been issued to arrest the Offenders agreable to Law, which cannot be done, by reason of their being on board the vessels to which they belong, and out of the Jurisdiction of this Territory—

Understanding that Commodore Shaw has sailed with a part this Squadron and that you command the residue— These are therefore, request that you and the Officers Commanding will cause such of the offenders may be with you, to be delivered into the Custody of the Civil Authority of this Ter agreable to law, and to be dealt with accordingly— Mr. Calvit the Sheriff will wait you for the above purpose, and Mr. Evans will accompany him to identify the persons the offenders.—

Capt. Jones. (Signed) Robert Williams

Washington May 1st 1807

Sir

I drew sometime last month perhaps the first on the Secretary of the Treasury duplicate Bills in favour of Amasa Hague for the sum of Three Hundred Dollars expended for office rent Stationary &c for this Government up to the first day of April last

From some casualties the vouchers shewing this expenditure not being at present properly authenticated, are not sent on but shall be forwarded by the next Mail

Albert Gallatin Esqr
Secy of the Treasury

(Signed) Robert Williams

Head Quarters
General Orders
Feby 10th 1807

Sir

You will without delay, take measures to apprehend the person of Aaron Burr, and all persons supposed to be of his party whenever they may be within this Territory, and have them confined under a strong Military guard until further Orders. — To effect this end you are authorised to call on any portion of the Militia of your County. — and to act in all respects in such manner as in your opinion circumstances may require

Colo Fitzpatrick

(Signed) Robert Williams

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Head Quarters
General Orders
Feby 10th 1807

Sir

You will without delay take and keep safely under a strong Military Guard the person of Comfort Tyler. — who I am informed is in your City also any others supposed to be of the party of Colo Burr. — You will also proceed to any Boats of theirs that may be near Natchez place strong guards over them and suffer no communication to or from them by or with any one. — Should there appear more than an ordinary number of persons about or with the Boats, have all such brought off, and placed under sufficient Guard. —

To effect these orders you will call on any portion of the Militia of your Regiment, also such of the [redacted] troop as may be near Natchez who will act with you and under your command; you will also take immediate steps for having as many of the Militia of your Regiment imbodied and equipped for service by 7 Oclock tomorrow morning.

Colo F. L. Claiborne

(Signed) Robert Williams

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Washington May 7th 1807

Sir

You are hereby informed that your commission as a Jus
of the peace and of the Quorum for the county of Wilkinson was revoked on the 7
Instant

Capt Joshua Baker

(Signed) Robert Williams

Washington May 11th 1807.

Sir

Your letter of March 21st respecting Volunteer Companies
recieved by yesterdays Mail— You may rely on every exertion on my pa
to aid the views of the goverment in this respect. I assure you with the utmo
confidence that such is the patriotism and attachment of the citizens of this
Territory to their Government and laws, as to justify the most sanguine
expectations on this occasion— Immediate measures will be taken to ca
your requisitions into effect.

I am with great Consideration
Your obt Hble Servt

Thomas Jefferson
President of the U States

(Signed) Robert Williams

Washington May 18th 1807

(Circular)

Sir on Your Letter to His Excellency the Governor of this Territory of the 15th Inst. requesting information relative to the Number of Companies of Volunteers which may be formed in each Regiment of Militia in this Territory

Conformably to a law passed the last Session of Congress, and in compliance with the requisitions of the President of the United States, I solicit your attention and through you that of the Militia of your Regiment to a subject which may be eaqually interesting to our Country and honorable to ourselves.

By the act above alluded to, the President of the United States is authorised to accept of any Company or Companies of Volunteers, either of Artillery, Calvalry, or Infantry, who may associate and offer themselves for the Service, not exceeding 30.000 Men to be clothed and furnished with hors at their own expence, but to be armed and equipped at the expence of the United States, and to be indemnified for any loss or injury of Horses other equipment furnished at their own expence, while in actual Servic

Although it is the interest of the people of the Un

States and the policy of the Administration to be and remain at peace with all the world, yet as this does not depend on ourselves alone, it has been thought prudent to be prepared to meet the reverse. —

Those who shall thus engage will not be called out until some aggression committed or intended shall render it necessary, of course it will not be for a lounging, but for an active, honorable and perhaps distant service; Calculated to give vent and exertion to that patriotism which has so honorably Characterized the American Citizen. —

To the young, active and enterprising, whose patriotism is not curbed by domestic Concerns and family cares it is presumed the kind of service here alluded to, will be an additional excitement. —

I am proud to have an opportunity of expressing my entire satisfaction at the prompt and decided manner in which the Citizens of this Territory have heretofore acted when necessary to support their Government and laws, and to repel and repress aggression whether foreign or Domestic, and that it is matter of much Consolation to the General Administration to know also that no people are more disposed to appreciate that love of Country, and those principles necessary to constitute the Citizen and Soldier in the same person.

With these impressions and under this belief, I shall confidently rely and give assurances to the President of the United States, that his most sanguine expectations on this occasion, will be fulfilled from this quarter of the Union. — You will make it known to the Militia of your Regiment that as soon as any Company or Companies are formed, their Officers nominated and forwarded to me, they will be Commissioned, And that if any Company &c already organized shall tender their service, such Company will continue to be commanded by the Officers holding Commissions in the same, much reliance is placed on your patriotism and Zelous support on this Occasion.

Col. J. L Claiborne
Com.t of the 1st Reg.t of Militia

(Signed) Robert Williams

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Washington M.T May 18th 1807

Your letter from Virginia, at Fredricksburg under date of April the 4th I recieved by yesterdays Mail. —

Inclosed is the Record you wish, One will also be forwarded to Mr. May. — By a reference to the act of Congress to which you allude in your letter, the mode of authentication is various, I have

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— Therefore adopted the most customary mode, and the only one practicable as the judge is not here. —

Burrs letter to Coules Mead and his capitulation with Poindexter and Shields are in Burrs own hand writing, also one other letter to Mr Mead, three to myself, and a short billet taken from a Negroe addressed to C J & D F advising them to keep together and have all their affairs in perfect Order &c are in his own hand writing, Perhaps some of those letters particularly the latter may be more important on his trial than those you mention to be sent on by the first safe hand as I understand from your letter they are not to be sent by Mail, I will send the whole of those letters on by the first opportunity. —

There is also the affidavit of a Mr Peterkin agent to the Indian Trading House at the Chickasaw Bluffs, which Judge Rodney took and he says it goes far to explain Burrs views to be hostile, that he made Military preparations at the Bluffs as he came down the river. — Peterkin is bound to appear at the Supreme Court to be holden here next March. —

I will forward by next Mail a Copy of his affidavit by which you will Judge whether his testimony will be material on Burrs trial —

Casar A Rodney Esqr
Atty Genl of the United States

(Signed) Robert Williams

P.S. Since writing the above letter Judge Rodney sent me the inclosed affidavit of Peterkins

(Signed) Robert Williams

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By Robert Williams Governor of the Mississippi Territory

A Proclamation.

Whereas Aaron Burr, Esqr late Vice President of the United States, was bound in Recognizance to appear at the Supreme Court of this Territory, himself in the sum of five Thousand Dollars, and two securities in the sum of two thousand five hundred Dollars each, "to answer "Bills of indictment that might be found against him, and to continue to "appear from day to day, until dismissed by said Court," which he has failed to comply with, and as it appears has made his escape.

I do, therefore, issue this my Proclamation for apprehending the said Aaron Burr, Esqr and by the powers and authorities

I professes, will pay or cause to be paid, to any person or persons who will take the person of said Aaron Burr, and cause him to be delivered to me at this place, or to the President of the United States, the sum of Two Thousand Dollars.

Given under my Hand, at the Town of Washington, this 6th day February 1807.

(Signed) Robert Williams.

Sir + 64 Washington May 26th 1807

In compliance with the request of the attorney General of the United States I forward you the inclosed

George Hay Esqr.
Attorny for the United States
in the District of Virginia

(Signed) Robert Williams

Sir + 65 Washington May 26th 1807

Your communication of the 8th of last month I received the day before yesterday by Mail — The Subpena for Witnesses against Aaron Burr I have obtained an acknowledgement of the service of from four of the Gentlemen and indorsed on the Subpena and they have also written on to the Marshal of Virginia as you request — Mr Fitzpatrick Ive not had and opportunity of seeing, but will send to him, and get him to do the same as those Gentlemen have, after which I will forward the Subpena. —

The other part of your Requisition shall have my immediate and particular attention. — Bills of Indictment are found in the Circuit Court of Williamson against Floyd & Ralston. — They will not be tried, I presume till the fall — The supreme Court is now setting at this place to which Blannahasset and others were bound, but we have no testimony against any but those who bills are found against as above stated I shall suggest to the propriety of keeping Blannahasset bound until I hear from your Circuit Court now setting at Richmond, as you suggest the probability of Bills being found against him there. —

Cesar A Rodney Esq.
Att. Gen. of the United State

(Signed) Robert Williams

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Washington June 5th 1807

Sir—

The printing of the Laws of this Territory is authorised under your direction and superintendance, Samuel Jenell is appointed by law the Public Printer provided that he gives bond with sufficient Security to the Governor for the time being, in the penal sum of four thousand dollars, for the performance & Completion of the public printing as required by law—

I presume it will not be thought officious to remind you, that the time is now nearly half elapsed in which this work is to be completed, and that no person designated by law, has not as yet qualified himself so as to authorise his performing the laws some of which are very much wanting. ——

Cowles Mead
Secy of M Territory

(Signed) Robert Williams

Washington April 14th 1807.—

Sir.

I wrote you last week relative to the necessity of your attention to the duties of your office at this place, a few hours, which it is presumed you did not recieve, as your regard to the publick interest would have induced a compliance. —

Were I disposed to take upon myself the Ordinary duties of the Secretary it must be expected that I should have access to the Official and executive transactions of the Government the greater part of which, yet remains locked up in a private house, to where they had been removed, from the Office, since your arival in this Country. —

This you will recollect I spoke to you about when last here, you promised to leave the Keys with Mr Johnson which he says you did not do, that he has sent to you on the occasion, since my application, without effect

I hope you will on receipt of this, send the keys, so that I may have access to the Publick Rolls and Executive Journals — and also give the attention a few hours, assuring you at the same time that I shall be perfectly disposed to countenance every indulgence you may desire not

incompatible with the publick interest.

Cowles Mead Esqr
Secy of the M. Territory

(Signed) Robert Williams

Washington May 5th 1807

Sir

Your note of the 2d Instant was handed to me yesterday by Mr Pope, by which he is introduced for the purpose of performing the duties of the office of Secretary for this Territory, and to save the necessity of your presence at the seat of Government.

I have shewed Mr Pope the Office, and informed him what I supposed you wished him to do, and I shall afford him every information relative to the buysiness he ought to perform compatible with my situation, but without intending to assume or relax in any degree, the legal responsibility either of the Governor or Secretary.

It may be proper, nevertheless, to inform you, that it is not considered among the discretionary powers of the Secretary, to appoint any person to execute the duties of his Office, exclusively of himself and that the Governor cannot therfore, recognise any appointment or deligation which may have that tendency.

I shall render Mr Pope every service in my power, as he is a young Gentleman, with whom, from our short acquaintance I am much pleased.

(Signed) Robert Williams

Cowles Mead Esqr
Secretary of the M. Territory

P.S. Your presence at the Seat of Government will only be required by me when absolutely necessary.

Washington June 15th 1807.

Sir

In consequence of having recieved advices from the Secretary of War in answer to my letter of the 20th March relative to the pay of the Militia of this Territory called into service during my absence

— last summer and winter, I have to request, that you will furnish me
as possible, with the Muster and pay rolls, so that I may take the measu
to have them paid off. — For your information I inclose Copies of a
and instructions from Mr Swan the pay Master of the U. States, which toget
with such information as you can derive from Mr Mead the Secy of the Terri
by whose orders those services were performed, will I trust prevent any delay

Col Scott
Brig Inspector

(Signed) Robert Willia

Sir

Washington June 15th 1807

It is now more than four months since an account curr
of the whole expences incured by calling out the Militia of this Territory, to
the imputed enterprise of Col Burr and others, should have been returned to m
the end that it might be forwarded on to the proper department for final adju
And as my numerous and unofficial applications have been unavailing I now requ
this be done on or before the 20th Instant. —

In order to forego any futher delay it may be proper to
you that it is expected you will shew specificially, the receipts and expendit
of all sums composing each item of said account including dates from wh
recieved and to whom paid, with duplicate vouchers. —

Robert Williams

Capt Andw Marschalk
Quarter Master

July 16th 1807.

A Copy of the forgoing journals
this day transmitted to the Secretary of State offi
from page 189, together with a transcript of the ap
pointments made since that time.

Ow'n Mead,
Secy M. T.

Mississippi Territory

I do hereby authorise the Hon.ble Harry Toulmin
one of the Judges of this Territory residing in Washington County
to Administer all oaths which may be necessary to be
Administered by the Governor of this Territory in consequence of
Appointments made or which may be made by me
Given under my hand at the Town of Washington
this 21st Day of July AD. 1807.

Signed Robert Williams

Washington July 21st 1807

Sir

Inclosed are the Commissions for you and the other Officers
of your Volunteer Company. Mr James Caller having raised
a number of Men eaqual to form two Companies for the same service,
I have thought proper to form the whole into a Battalion of which
he is appointed Major and the Companies designated by 1. 2 & 3
yours to be the first Co.

Please recieve for yourself and Company my high appro-
bation of the patriotism which you have displayed on this Occasion.

Capt.o Joseph Kennaday

(Signed) Robert Williams

Washington July 21st 1807.

Sir

As the number of Men you have forwarded, the number of
Volunteers is more than necessary and nearly sufficient for two Companies,
I have formed a Battalion in your quarter and you have herewith a Commission
yourself as Major. You will form the Men raised by yourself into
two Companies and forward the names of such as may be chosen Officers and
the Commissions will be sent. You will designate the Companies
formed by you 2.d & 3.d as Capt Kennadays Company being formed and

210 Commissioned is called the 1st Lt and all to be under your command as Major

The exceptions you mention to some recommended for Officers in Kennadays Company could not well be investigated as the Men have the right under this arrangement to make choice of their Officers, that this Company formed de novo — Permit me to express the high satisfaction I feel at patriotism discovered by yourself and our fellow Citizens in Washington County they honor the name their County bears — I shall forward all their names to the President of the United States who I know will be highly gratified to receive such evidences of Patriotism especially from a quarter where impressions of a different kind have been attempted to be made by some —

Signed Robert Williams

P.S. In sending on the names of the Officers for your Company designate the Companies and the Officers to each

Major James Caller —

By Robert Williams Governor of the Mississippi Territory.

To the Sheriffs of Adams & Wilkinson Counties Greeting.

Whereas Henry Hunter Esquire of Wilkinson County a member of the House of Representatives of the General Assembly of this Territory, from the County of Adams has resigned his Seat. —

I do therefore issue this Writ, directing you and each of you, to hold an Election conformably to Law on the Twenty ninth & Thirtieth Days of October next to Elect a member to fill the Vacancy occasioned thereby.

Given under my hand and the Seal of Territory at the Town of Washington, this Twenty first day of July in the one Thousand Eight hundred & Seven & in the Thirty Second year of the Independence of the United States of America

Seal

Signed Robert Williams

Washington July 25th 1807.

Sir

Your letter dated Blank Inst. in Answer to my order of the 15th ult. Respecting a Return of the Muster & Pay Rolls of the Militia of this Territory ordered into Service Last Summer & winter I Received. —— I Suggested in the order above alluded to the probability of its being expedient for You to Consult Mr. Mead in this Occasion Under whose Command those Detachments were ordered out and who of course Can Furnish the best and perhaps only proper data on which muster & Pay Rolls can be made Out especially for Such Detachments as were Not Mustered & inspected by Yourself ——

Therefore Request if you will take Such immediate Measures as will enable You to Make Out and Return to the Governor of this Territory Such Necessary Muster & Pay Rolls as will authorise the payment of the Militia who Served in those expeditions

I am with

Respt. Yr.

Obt. Servt.

Robert Williams

Signed

Colo. William Scott
Brigade Inspector

From the Governor to Henry Dearborne Esqr. Secy. of War.

Washington M. T. Augt. 1st 1807.

Sir)

I have the honor to inform you, that in Conformity with an act of Congress authorising the President of the United States to accept the Service of Volunteer Companies; three Companies of Cavalry have associated and Offered themselves — they Nominated their Officers and wished to be formed into a Battalion, which has been done; and the Officers Commissioned accordingly.

I was advised by the President of the United States to Correspond with the Secretary of War Respecting the Services of such Volunteers. Will you, therefore, inform me how & in what manner Returnes or Notifications of such Companies, to the President of the United States are

I have the [illegible] with great Respect &c.

Signed Robert Williams

To be made
Henry Dearborn Esq.
Secy. of War

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Sworn the Governor
To Jas. Madison Secy
of Wash.

Mississippi Territory

Washington 15. August 1809.

Sir

The Mail before the last I Sent to my address a Commission for Thos. H. Williams Esqr. as Secretary of this Territory. Mr. Williams has been prevailed on to accept the Office tho not without considerable hesitation and Yielding his own inclination to the wishes of his friends and the people at large in this Quarter. He will qualify in a day or so (and returns Starting) for the City of Washington in the first Month, which foregoes the Necessity of My giving You a full (and detailed) account of the disposition and Attempts of a certain party here.

I have the honor to be

Respt. Sir

The Hon.ble
James Madison
Secr.y of State

(Signed) Robert Williams

Washington Augt. 6th 1807

Sir

The publick explanations which George Poindexter (and Yourself have thought proper to give, as the Object of Your Visit to me the other day, prove, that you have been Guilty of Such improprieties and disregard to your Oath of Office, as tend to disqualify you to be one of the Administrators of the Laws of Your Country. For the (connection of which I Stand Responsible to my Government and to the People of this Territory.

You are therefore informed, that, Your Commission as a Justice of the Peace and Alderman for the City of Natchez, is Revoked.

I am.

(Signed) Robert Williams

Capt. William T. Wolfe

From the Governor

Mississippi Territory Augt. 7th 1807

Sir

No. 66

The day before Yesterday I Rec'd your communication dated the 5th Inst. & to day that of the 3rd of the Same inclosing Copies of Jno. Adair & Blannerhasset no others have come On as yet — Blannerhasset and Floyd left this for Kentucky and Ohio Some time ago — Tyler is in the Orleans Territory & Measures are taken to have him apprehended.

Judge Rodney Starts in a day or So for Natchez and I expect as many of the Witnesses as are mentioned here to — for Summoned will come on, in addition to which I have Sent Thomas H Williams Esqr. Secy of this Territory who Comes on with Judge Rodney — & by whom I Shall forward Some Original letters in M. Burrs own hand Writing, one of which is Certainly more Materially to Shew his (Burrs) hostile intentions than any thing which I have Seen or heard as Yet, Also the other papers You Mention will come on by M. Williams —

I have also Summoned a Dr Cummins of this Territory at whose house it is Supposed Burr Stayed after he fled — Should this Man Come on it May be proper to Examine him Critically — It was his Negro boy that bore Burrs Note address. to J. & D.P. I mention this in order that you May be on Your Guard as to this Witness

I am With Great Respt. Yr.

(Signed) Robert Williams

The Hon.l Cesar A Rodney
Att. Genl. of the States

214

Mississippi Territory
Town of Washington aug. 9th

I do hereby authorize Thomas Fitzpatrick
one of the Justices of the Peace and of
the Quorum for the County of Jefferson
residing in said County, to administer
all Oaths which may be necessary
to be administered by the Governor of
this Territory in consequence of applica-
-tions made or which may be made
by me. given under my hand
this 9th day of June 1807

Signed Robert Williams

Sir 67 Mississippi Territory aug. 14th 1807.

This will Stand, be handed you by Tho. H. Williams
Esqr. Secry of this Territory, who attends as a Witness on
behalf of the U. States agt A. Burr. for treason — I Refer you
to Mr. Williams for information respecting the other Witness
Summoned.

By Mr. Williams you will Receive Original Letters
and Papers Signed by Mr. Burr and on his own hand
Writing — Marked from N. No. 6 inclusive. Although
Some of these May not be Material in any other respect
than to compare his hand writing, which Notwithstand-
-ing it may be better to receive with you than it is here
Get men Soon Scarce, Owing to a Change of Time, Plan

circumstance I say these words and will [illegible]

I have also inclosed two Notes Signed by Edmund Mankes J. P. with the Negro boy Bone, from whome the Letter N.° 4 was taken — I have also inclosed a Copy of the answer to Mr Burr two Notes Mankes J. P. 5 & 6: this I do in order to Shew that he (Burr) had No Right to Arest Isaac [illegible] Right Certificate on this Territory, a Violation of the laws On his Person, but that they would be extended to Isaac, as to others Situated as he might be —

The Record of the Proceedings on Burrs —— Recognizance is also inclosed

I am Sir
Your Most Obt Servt
Robert Williams

Capt A Bowyer Esq
Aid de Camp to the Governor Natchez

Washington August 11th 1807.

Sir

Mr. William Connell is Appointed Your Successor in the Office of Sheriff for Wilkinson County, to whom You will please deliver all things which the Law Right, Right to possess, as Such

I am with Respt.

William Jones Esqr.
late Sheriff of Wilkinson County

Signed Robert Williams

216

Washington June 19th 1807.

Sir

Your Letter of the 5th Inst. the by mistake (of the 5th Ult.) Rece.d Yesterday. Believing that No Community or Individual Members of it, to be, or Remain, under a Conception especially in Matters highly interesting to their Political welfare, and knowing from the Tenor of Your Letter, that Such is the fact with Yourself and Perhaps others in Your quarter, the Reason of this Reply

You decline to Accept an Appointment to Fill an office in Your County, because the Commission expresses the Power of the Governor for the time being to Revoke — The powers of the Governor are Defined and Limited by the Constitution & Laws — No expressions in the Commission can increase or diminish them, or affect the Rights of the Citizens — The express the Term of Office in the Commission is therefore a Mere formality But as this Power is with the Executive and in the exercise of which as in all Others, he is Responsible it is but Candid to Express it Not Attempt to Deceive or Cajole the People —

You then Censure the Ordinance — Say it Verges Near to despotism is Derogatory to a Free and enlightened People and invoke my aid with that of the Good People of this Territory to have it altered — Without intending to impeach or admit the Correctness of Your Remarks On this Occasion, I will observe that I Never have been an Admirer of Territorial Governments Nor have My Opinions been hitherto Secret, Nevertheless it is My duty as well as every other Officer to administer the Government as it is, & not as we may wish it, & every good Citizen should give his Aid in the Same way — Have by Them we are Rising to Self Government & one that is Calculated to

You will excuse me in observing that I presume your Remarks on the present Form of Government were Made without Due Reflection and that Consideration which the importance of the Occasion Required and Your Own reflections dictated The Sages of 76 whose wisdom, Valor, & Patriotism Won the Iron Lord of Englands empire & Secured to the Civil & Religious Liberty for Millions yet Unborn, Form that Very Constitution you are

the Ordinance) which You Now Reproach with the epithet of unjust

It is, I apprehend from the Same cause, You have also Run foul of the Constitution of the U States the best Government on earth & censure the power of one of its most important branches — For all the Military Officers of the U States & most of the Civic hold their Appointments by the Same tenn expressed in their Commissions, that You complain of under the Ordinance — were the Legislative Counsellors of this Territory, which partake More of the Character of Legislators than Otherwise —

I am frequently under the Necessity of Appointing Gen.l Men to Office, with whome I have no personal Acquaintance, & no knowledge as to their Dispositions toward Myself or Others & me fact were I thus intelligent it would not influence My Conduct further than Regards qualification independently of any particular class or Set of Men, calculating that every good Citizen will consider himself bound to Sustain his portion of the burthens of Government, and Afford his Support Accordingly — Believing the Determination expressed in Your letter to be founded on incorrect Ideas & that on Reflection Your candor will Dictate the Reverse leaves the Nomination to Your Appointment Uninfluenced, I Shall, therefore, expect you will accept the Appointment & I Shall Omit to Make any Other for the present —

I am with

Respect Yr.

Robert Tanner Esqr.

(Signed) Robert. Williams

218

Washington August 17th 1807

Sir

In consequence of Your absence from the Territory and district for which you were appointed Capt. to gether Some circumstances Not Material now to detail the office of Capt. in Your District has been considered Vacant.

You are therefore, informed, that William Bo has been appointed Capt. in your Stead

I am Sir

Capt. Benjamin Watkins

(Signd) Robert Williams

From the Governor to Lt. Claiborn

Washington 17th. August 1807.

Sir

Your note of the 14th Inst. containing Capt. Dog Supplication to you, as Col. of the 1st Regt. of Militia, relating to Some Regulations which the Governor, I have made touching the Corporation of the City of Natchez, affecting Mr. Dog in his Capacity as a Civil Officer thereof, I have Rec'd,

Although I am aware that I may be considered guilty of an Official impropriety in Answering Such an Applications, Yet to preclude a Suspician that I intend any Disrespect to You or the Gentleman Officers of Your Regt., I will State, that on Reflection I presume You will be of Opinion, that No further Answer is Necessary, than merely to Suggest, that the Civil Authority Or any of its Determinations are not Subject to the Superintendency or Control of the Military

I am with Respt.

Col. (Per.) L. Claiborne

(Signd) Robert Williams

From the Governor
John Smith Esqr.

Mississippi Territory

68

Washington August 24th 1807

Sir

Your letter dated Thompsons Creek 15th Inst. I have Rec'd. I am not officially informed of any Charges Exhibited Against You at Richmond as Mentioned in your letter but have been thus informed of Charges Exhibited Against You by Several Others, I have no doubt of their existance against You — If You Surrender Yourself to the civil Authority of this Territory you will Receive its protection & Shall be conducted to Richmond According to Your desire.

You Request me to State "under what Circumstances & Restrictions Specifically You will be Allowed to travel further," to which I will State, You will be Allowed an escort of Respectability with instructions that every indulgence and comfort You may Require Proportionate to your Station and Character in life Shall be Allowed, not incompatible with the public interest — I know of present of No Objection to Your going by Cincinnati — Inclosed is a letter to Col. Ringsberry which will enable You to Obtain a passage to this place without interruption, Should You think proper to Come —

I am Sir

Your Obt. Servt.

John Smith Esq.

Robert Williams

Sir

Washington Augt. 24th 1807

Should Mr. John Smith Apply to You for an escort to this place will You be so good as to furnish it — The Reasons in detail for this Request will be explained to You by Mr. Smith himself and by my letter to him, which he will give You the perusal of —

I am with high

consideration Yr. Obt.

Servt.

Robert Williams

Col. Ringsberry

By Robert Williams Governor of the Mississippi Ter

To the Sheriffs of Adams & Wilkinson Counties Gre

Whereas George Poindexter Esqr. of said

County a Member of the House of Representatives in the G

Assembly of this Territory, from the County of Adams has

Resigned his Seat.

I do therefore issue this Writ directing Yo

And each of You, to hold an Election conformably to Law

On the Second Tuesday & Thirtieth days of October Next to

elect a Member to fill the Vacancy occasioned thereby

Given under my hand & the Seal of Territ

At the Town of Washington, this Twenty fourth

day of August in the year One Thousand Eight hundred

& Seven & in the Thirty Second Year of

the Independance of the United States of

America

Seal

Signed Robert Williams

Washington Mi. T. Augt. 24th 1807

Sir

In addition to my former letter of the 19th Inst.

I have the honor to inform you that a Company of

Infantry from this County have offered themselves to the

President of the United States, under the Law of Congress

authorizing him to accept the Services of Volunteers,

and that their Officers have been Nominated and

Commissioned Accordingly

Jason with Great

Respt. Yr.

The Hon. Henry Dearborn

Secy. of War

(Copy) (Signed) Robert Williams

Sir

Washington August 28th 1807

I Request if Consistent with general Orders, that Some of the Troops of the United States under Your Command may be Stationed at Fort Dearborn in the Vincinity of this Place — My direct Reason for this is that there have been Lately Strong Grounds to Suspect an attempt at insurrection by the Negroes in this Place & Neighbourhood, those Suspicians are So well founded as to Justify the Ordering out of a Regular and Constant Patriol by the Executive; this wise Know Savages & Extensive and afford little Safety to what a few Regular Troops & Subalterns Command would do — They would at least form a Rallying point, & Protect the Arms which are in the Garrison, from being Seized On by the Negroes, which is what we most Apprehend Should the attempt be made

I will Suggest, that the Recruiting Service can be carried On in this Quarter, to as much & perhaps more, advantage than in Any other part of the United States, Owing to the Vast number of those Characters most likely to enter into Such Service being discharged at Natchez after Descending the River with Trading boats, Some Thousands of miles — many of those men Loose a Court this Place without employ & would Readily inlist

Should You Seek Yourself Authorised to Grant this Request Only Temporally inform me and I will write to the Department of War and the General on the Subject

I am with Respect Your

Sigd Robert Williams

Colo Kingsbury

222

Sir

Washington August 31st 1807

I have Rec.d Your letter without date covering an Exequatur issued by the President of the United States Recognizing You as Commissary of Commerce Relations the Government of France, to Reside at the City of Natchez I trust the friendly Relations and Commercial intercourse of Our Respective Governments will be promoted by Your Mission ——

You have assurances of my Sincere desire that Your Residence near us may be Consistent with Your Own and Families happiness, and that You may experience those Civilities which are justly due to the Representation of a friendly Power ——

Regret Your ill State of Health, and hope for Your speedy Recovery —— accept, Sir, my respectful Salutations

To Citizen Jean Vermonnet
Commercial Agent of France
At Natchez

Signed Robert Williams

Sir

Mississippi Territory Washington Aug.t 31.st 1807.

I have Rec.d Your Note of the 10th Inst.

Acknowledging my letter of May 1st advising Your draft for $300 to cover Contingent expences — this Appropriation has Generally been Drawn by the Governor since my Administration and was Drawn for Last Year with my letter to You of Sept.r 14th 1806 a Departure from the former practice, perhaps in Consequence of there being no Ceiling Secy. For a Considerable time after I took the Administration ——

When I returned to the Territory Last Jan.y I found the Office without Stationary &c. I applied to Mr. Meade on the Subject he informed me he had made no disbursement for the present Year except a Small Acct. which he directed me to pay of which is Inclosed for the purpose of being Inclosed in the Ac.t

I was a Court to make for Contingent expences — Neither is there any Letter or
document in the Office Shewing that Mr. Mead has Drawn or Appropriated
any part of the present Years Appropriation or that he has Drawn for or
Appropriated any Monies at all, towards Objects heretofore Considered as
belonging to the Contingent Appropriation ——

I have written to Mr. Mead on this Subject Since the
Rec.t of Your Letter, but have not as yet Rec.d any other Answer than
an Acknowledgement of my Letter ——

I Shall attend to Your Regulations Respecting the draft of
Three hundred dollars being placed to my Salary Account, but from
Arrangements, which I had made previous to the Rec.t of Your Letter
it will not be Convenient for me to Omit that Sum Out of my
next Quarter which will become due the 1st. of next month, — And
trust You will Consent for it to be deducted out of my next Quarter,
if Mr. Mead Should not Act for the Same — But, Sir, it really
Seems hard that I Should be under the Necessity of meeting this expence
individually —— I hope Some Arrangements will be made either
by a Settlement with Mr. Mead or by an additional Appropriation
to have me Reimbursed this Sum —— As the Secretary is Absent
from the Territory, and will be the Remainder of this Year, I Shall
Draw for the Ballance of the Contingent Appropriation to wit $150

Attest Gallatin
Sec.y of Treasury

I am
Signed, Robert Williams

General Orders,

Town of Washington Sept.r 7.th 1807

The Militia of the Mississippi Territory will muster by Regiments
in the following order

The first Regiment on Thursday the Eighth of October next at Town
of Washington

The Second Regiment on Saturday following at Greenville,

The Fourth Regiment on the monday following at Gibson port.

The Fifth Regiment on Wednesday the 28.th of the month
at Perrys Plantation and

The third Regiment on Thursday the 22.nd of the month at the
usual place of Rendevous

By H. B. Grimes Aid de Camp

224 From the Governor to John Smith

Washington Mississippi Territory Sept.r 11.th 180

Sir † 6?

Your note of the 9.th Inst.t inclosing a duplicate Letter of the 3.d of the same I have this Moment Rec.d by Your express. —

I presume it is not Necessary for me to Answer Your Communication Specifically when I inform You that the escort from this to Cincinnati will consist of two Persons and that You will have the Liberty to make Arrangements for Your Own Accommodation, and Travel without Restriction, or Cost further than the Laws of Your Country may direct or Renders Necessary. —

I am Sir with due Respect

Robert Williams

P.S. inclosed is a few lines to Col.o Kingsbury Should You come up

(Signed)

John Smith Esq.r

From the Governor to Colo. Kingsbury

† 7?

Washington September 11.th 180?

Sir 1

Should Mr Smith inform You of his desire to come to this place, will you afford him an escort consisting of two persons, One of whome to be a Commissioned Officer. And if possible to accompany him to Richmond Virginia, Via Cincinnati —

I am &c

Signed Robert Williams

Colo.o Jacob Kingsbury

From the Governor
To William Tilos

Washington 12th Sept. 1807

Sir

You are informed your commission as a Capt. in the 1st Regiment of the Militia of this Territory has been Revoked —

(Signed) Robert Williams

William Tilos

From the Governor
To Col. F. L. Claiborne

Washington September 12th 1807

Sir

You are hereby informed the Commission of William Tilos as Captain in Your Regiment of Militia is Revoked I Shall Expect Your Recommendation to fill the Vacancy Occasioned thereby

I am with Respt. Sir Your

(Signed) Robert Williams

Col. F. L. Claiborne

From the Governor to
Henry Dearborne Esqr. Secry of War

Mississippi Territory
Washington September 21st 1807

Sir

I wrote You Some time ago on a Subject which, although not Very important as Regards the particular case in Question, Yet as to the point of principal & effect here — The Subject alluded to is whether and Aid de camp to the Commander in Chief, is liable to be tried by a Court Martial for disobedience of orders — & if So whether or how far he is a Transferable Officer and Liable for disobeying the orders of of B. who is the Superior of A whose aide de camp he was, & Never that of B. — In the particular case in, that occurring in the Territory last Summer Mr Mead the Secretary issued an order to a Gentleman who had been appointed and acted as an Aid to me — this order it Seems he did not obey for which he was arrested tried by a Court Marshall and Sentenced —

I wish the Opinion of the Secretary of war on the above

(that of the General of the Army of the United States I have b
favoured with already) not that I doubt the Correctness of
but for certain Reasons of a Political Nature with the
opinion I now Solicit

I have the honr to be
Respectfully Yrs.

The Hon.ble
Henry Dearborn
Secry of War

(Signed) Robert Williams

91

Mississippi Territory

Whereas, John Smith Esquire late a Senator of the United States, from the State of Ohio, being Indicted at Richmond Virginia as I am informed by himself and from other Sources, for high Crimes & misdemeanors against the Gen Government of the United States, and being without the Jurisdiction of the United States, and within that of the King of Spain, has come forward and Voluntarily Surrendered himself to the Authority of the Law. —

I have therefore as Governor of this Territory caused the Necessary Steps to be taken for the most eligible Conveyance of Mr. Smith to the City of Richmond Virginia under the direction of Capt. Stephen Neal, with permission to them to make their Route by the way of Cincinnati —

And I do hereby Request all Officers & Constituted Authorities of the United States, and Territories in which they may be to Aid and permit their Passage thither

Given under my hand and the Seal of the Territory at the Town of Washington this Twenty Second day of September in the Year one thousand Eight hundred and Seven & in the thirty second Year of the American Independance.

Seal

(Signed) Robert Williams

By Robert Williams Governor of the Mississippi Territory.

To all whom it may concern Greeting:

Whereas Henry Green has made application to be released from the payment of a fine of Fifty dollars assessed by the verdict of a Jury and Judgment of the Circuit Court held for the County of Jefferson on the fifteenth day of November in the year one Thousand Eight hundred and Six on an Indictment in the following words and figures to wit. "Mississippi Territory Jefferson County to wit,

The Grand Jurors for the Mississippi Territory and County of Jefferson on their oath present that Henry Green late of the County aforesaid (Labourer) on the Twenty Eight day of February in the year one Thousand Eight hundred and six with Force and arms at Greenville in the County aforesaid in and upon one James Sidney Rollins in the peace of God and the Mississippi Territory then and there being did make an assault, and him the said James Sidney Rollins then and there did beat wound and ill treat so that his life was greatly despaired of, and other wrongs to the said James Sidney Rollins then and there did to the great damage of the said James Sidney Rollins against the statute in such case made and provided and against the peace and dignity of the Mississippi Territory of the United States."

And that in consequence of said verdict and judgment a fieri facias hath been issued against the Estate of the said Henry Green, and that execution thereof still remains to be done:— And whereas it is represented that the said fine is excessive:—

Know ye therefore that I do by these presents suspend the operation of the fieri facias as aforesaid issued against the Estate of the said Henry Green and also any other or further proceedings had or to be taken or had on said Judgment entered as aforesaid against him or his Estate until the first monday in January next and no longer, except so far as relates to the Costs.

In Testimony whereof I have hereunto set my Hand and affixed the Seal of the Territory at the Town of Washington, this Twenty second day of September in the year one thousand Eight hundred and seven, and in the Thirty second year of American Independence.

Seal.

(Signed) Robert Williams.

From the Governor of Mississippi Territory
to the Secretary of War. } to } Town of Washington Septr 24. 1807.

Sir, Captain Stephen Neal and Mr James S. Mase take an Mr. Smith from this place to Richmond under a commitment from Judge Rodney. I have agreed that

that the United States will compensate them at the rate of not less than from three and a half dollars to four dollars pr day and bear their expenses — this may seem high, but men of Character cannot be got in this quarter for less. I hope therefore you will settle with them accordingly.

I am respectfully,

Signed Robert Williams.

From the Governor to Captain Stephen Neall.

Mississippi Territory

Town of Washington September 24. 1807.

+ 77

Sir,

You will keep an account of all the expense in conducting Mr Smith to Richmond, and should exigencies render it necessary, you are authorised to draw on me at this place or the Secretary of War, for any monies you may stand in need of.

your respectfully.

Signed Robert Williams.

From the Governor to Albert Gallatin Esquire.

Mississippi Territory

Washington September 26. 1807.

Sir,

I have drawn duplicate bills in favor of Parke Walton, on the Secretary of the Treasury for the sum of Five hundred dollars due me for one quarter years Salary as Governor of this Territory, ending on the 31st day of October.

Also

Also triplicate bills in favor of John Henderson for the sum of One hundred and fifty dollars to defray Contingent expenses of this Government — the vouchers necessary to support which together with an estimate shewing the necessity of a further appropriation for this object shall be sent on in due time — As regards the drafts herein alluded to I beg leave to refer you to my letter of the 31st day of August last.

You are also informed that I have seen Mr. Mead on the subject of your letter of the 10th of July last — he declines giving any satisfactory information to me relative thereto, and that there is no voucher or other document in the office which will afford any information whatever respecting it.

I am with great consideration

yr.

Signed. Robert Williams

From the Governor to the Attorney General of the U. States

† 73

Mississippi Territory

Washington September 28. 1807

Sir

Mr John Smith of Ohio a few days ago surrendered himself to the authority of the law at this place — We are not officially informed of his being indicted at Richmond as a party in Burr's conspiracy; but from his own acknowledgment to that fact and other unofficial sources of information he has been committed by Judge Rodney to Richmond and left this place the 24 instant in charge of Captain Neall, who the Judge deputed as Marshall, and

and two other persons. Captain Neall has permission to take him by Cincinnati.

Copies of Smiths letters to me while in the Spanish Government, with my answers which are enclosed marked No. 1. 2. 3. 4. and his surrender signed by himself and delivered to Judge Rodney, a Copy of which is also enclosed No. 5. will afford you full information on this subject. He says he is very anxious to take his trial immediately therefor wishes to be prepared, and requested that I would inform you of his wishes and intentions to the end that the United States might be also ready.

I am with great respect

yr.

(Signed) Robert Williams

From the Governor to the Secretary of War.

Mississippi Territory.

Washington September 28. 1807.

Sir,

On the 24th instant Mr John Smith of Ohio left this for Richmond Virginia under a commitment by the Honorable Thomas Rodney. He surrendered himself a few days before — as we had no official information of his being Indicted the Judge thought proper to take his acknowledgment as to that fact as the enclosed copy of an instrument No. 1. will shew.

Mr Smith while in the Spanish Territory wrote me two letters Copies of which I enclose marked No. 2. 3, also my reply No. 4. 5.

My intention was to have availed the public of the services of some of the Troops of the United States as a guard for Mr Smith to Richmond as you will see by enclosed Copies of two notes I wrote Colo. Kingsbury No. 6 and 7. in consequence of which Captain Johnson was despatched with Mr Smith, but no other person, he came as far as this place and was taken so sick that he could not proceed on, of course as there is no Marshall I was under the necessity of providing a guard and the necessary means to send him on under the Judges commitment, Captains Stephen O'Neal and Wade have been selected for that purpose, also one other person forming a guard of three — Captains Neal and Wade I have promised the Government will compensate at the rate of ~~from~~ Three and a half to Four dollars per day, the other person I gave nothing, but found him a horse and expenses as he was going to the States.

I am aware you may think the compensation I have promised high, but I assure you that men of that standing and character which would justify a trust of this kind cannot be had in this Country for less.

Mr Smith bears his own expenses — the furnishing of three horses together with the out fit including money to bear expenses amounts to nine hundred and ninety dollars for which I have drawn two sets of Bills one for Eight hundred and sixty dollars; the other for One hundred and thirty dollars on the Secretary of War in favor of John

Henderson

Henderson of Natchez; the necessary provisions shall be sent on next mail.

I assure you I have had an Eye to economy in this affair, the penalties of the guard, and one without wages I presume evidence this.

If I have mistaken the proper department with which I ought to communicate, relative to this business I trust you will so arrange it that no difficulties take place.

I have the honor to remain
respectfully yours.

The Hon.ble
Henry Dearborne
Secretary of War

(Signed) Robert Williams.

P.S. I consulted Judge Leake, Judge Rodney being absent relative to Smiths request to be taken by Cincinnati, he said he could see no impropriety in permissions being given to that effect, therefore I presume Captain Neal will take that route unless circumstances should render it, in his opinion improper.

From the Governor to George Hay Esquire

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Mississippi Territory.
Washington September 28th. 1807.

Sir

Mr John Smith of Ohio surrendered himself at this place a few days ago, has been committed by Judge Rodney and started under a guard of three persons for Richmond

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on the 24th instant. — Smith seems, and I am of opinion is, anxious his trial should take place on his arrival. He requested I would give you notice of

I have written fully to the attorney General of the United States Mr. Rodney on this subject to whom I beg leave to refer you.

I am with great consideration yr.

George Hay Esquire
Attg. for the U. States in the
Virginia District Richmond.

Signed,
Robert Williams.

From the Governor to Colo. John Steele.

Town of Washington
15th
September 30, 1807.

Sir,

In answer to your application and request on the part of the Committee appointed in behalf of the Common Council of the City of Natchez to know in what situation the two lots in the City and an out lot adjoining thereto, stand as regard the measures taken by the Governor of this Territory in behalf of Jefferson College under a law of Congress entitules "An Act regulating the grants of land and providing for the disposal of the lands of the United States South of the State of Tennessee;" and also that I would delay any other or further proceedings relative to said lots until and after the next Session of Congress; I have the honor to reply, that the Report of a Committee of the House of Representatives, with the annexed documents and

reference

references therein made which I enclose will afford full and
Complete information as to the measures taken by the present Governor
or his predecessors relative to said Lots — And that by referring to a
law of the United States passed the 21st of april 1806, Section 5.
you will be informed of the wishes and ultimate intentions of
Congress on this subject.

As to the latter request as I have no disposition to do any
thing which may close the door of investigation, by Congress, as to
what may be considered just and right, and especially as I have
a perfect confidence in the General Government affording every
proper and possible aid to the dissemination of knowledge, and
that any deminution of the endowments made by Congress to
the College, which justice towards others may demand and
policy dictate, will not take place, by that body; but on
the grounds of a Complete remuneration.

I shall not, therefore, at present take any other or
further steps as Governor of this Territory relative to the aforesaid
lots, or either of them; believing that after the next Session
of Congress, by which time the Report of the Commissioners
for settling land claims, will have been finally acted on, land
which may be the property of the United States, will be more
fully ascertained and known.

I am with sentiments of high respect and
Consideration
yrs

(Signed)

Robert Williams.

Coll. John Steele.

From the Governor to the Clerk of the House of Representatives

Washington October 3rd. 1807.

Sir

I have the honor to request, you will furnish me with a Copy of the Report made by the Territorial Treasurer to the last Session of the General Assembly on the subject of Finance agreeable to a law of this Territory passed the 20th. of July 1805, together with any other communication which he may have made to that body on the same subject.

I am with respect

Yr.

Beverley R. Grayson } Signed,
Clerk of the House of
Representatives

Robert Williams.

Town of Washington M.T.

October 5. 1807.

Sir

We deem it our duty to suggest for consideration the expediency of making provision for appeals from Judicial decisions in the Territories of Orleans and Mississippi. By the present System, the Supreme Court of each Territory is a Court of Original and dernier resort;— before these Tribunals causes of very great Concern to Individuals are often brought; causes extremely Complex; involving many intricate points of law, and in deciding of which the ablest Judges may err.

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It is not only important that Justice should be rendered, but that the Judiciary should be so organized as to leave no cause for doubt, as to the Correctness of decisions.

Whether it be most advisable to vest the appellate Jurisdiction in questions in the Supreme Court of the United States or to create for the two Territories conjointly a Court of appeals with Special powers is an enquiry which can best be made by the Government;— We however are of Opinion that the latter course would meet the wishes, and most certainly the convenience of the Citizens.

We have the Honor to be Sir, with great respect your most Obt Servts

Signed

William C.C. Claiborne

Robert Williams

The Honble James Madison Secretary of State.

From the Governor to Captain Andrew Marschalk.

Washington October 15th 1807.

Sir,

Will you please state to me in writing, what you heard Coll. Ferdinand L. Claiborne say respecting his intention to force the Cavalry of Adams County to obey his orders by force of Arms, and at the risque of the lives of the Citizens composing the Regiment of Militia he Commands— and also whatever further you may know respecting his disposition to commit so horrid an act.

I am &c.

Signed

Robert Williams

Capt. Andrew Marschalk.

From the Governor to Col.o Ferdinand L. Claiborne

Washington October 16.th 1807.

Sir!

Your conduct for some time past has evinced such a disregard to the laws of your country and the duties and obligations of an Officer as to render it improper you should continue any longer in Office — You are therefore informed, your respective Commissions of Justice of the Peace, and of the Quorum for the County of Adams; and Lieutenant Colonel Commandant of the 1.st Regiment of the Militia of this Territory are revoked.

I am &c.

(Signed)

Col.o Ferdinand L. Claiborne. Robert Williams

From the Governor to Abner Green Esquire

Washington October 16. 1807.

Sir,

You are hereby informed that your Commission as Treasurer of this Territory is revoked — and that Samuel Brooks Esquire is appointed to that office.

I am &c.

(Signed)

Abner Green Esquire. Robert Williams

By Robert Williams Governor of the Mississippi Territory.

To the Sheriffs of Jefferson & Claiborne Counties Greeting.

Whereas Samuel Bridges Esquire of Claiborne

Claiborne County late a member of the House of Representatives in the General Assembly of this Territory from the County of Jefferson has Deceased.

I do therefore issue this Writ directing you, and each of you to hold an Election conformably to Law on the third and fourth days of November next to Elect a member to fill the vacancy occasioned thereby.

Given under my Hand and the Seal of the Territory at the Town of Washington in the County of Adams this nineteenth day of October in the year one Thousand Eight hundred and Seven and in the Thirty Second year of the Independence of the United States of America.

Seal

Signed Robert Williams

From the Governor to the House of Representatives of the M. T.

Gentlemen,

You are hereby informed that Cowles Mead and Micajah Davis Esquires have taken and Subscribed before me as Governor the necessary oaths for their qualification as Members in the House of Representatives of the General Assembly, to fill such vacancies as will be Officially made known to you, as soon as you are again in Session.

Given under my Hand at the Town of Washington this ninth day of November in the year one Thousand Eight hundred and Seven.

(Signed) Robert Williams

From the Governor to John Ellis Esquire

November 9.. 1807

Sir

I have this moment received a note from you dated Government house instant; attested by Mr Grayson, with Official Characters to both.

The subject of your letter and the request made by you in your official Character cannot be attended to by the Governor previous to his being officially informed you are acting in the Capacity your Signature bears; or unless he know you were attending to do so under some legal appointment — and without this the qualification of those Gentlemen must take place on some other application.

I am yr

(Signed.)

Robert Williams.

By Robert Williams Governor of the Mississippi Territory

To the President, Speaker and Members of the Legislative Council and House of Representatives.

Gentlemen.

Whereas you did close your last Sefsion as appears by a Resolution of the two Houses passed on the fifth day of February in the following words to wit — "Resolved by the House of Representatives with the concurrence of the Legislative Council, that the present Sefsion of the General Assembly shall be closed on Saturday the seventh instant, and that the President of the Council and Speaker of the House of Representatives be authorized and required to adjourn their respective Houses on that day, until the first Monday in November next" — thereby altering the time for your

for your next meeting to the first monday in November present months, without the consent or knowledge of the Governor, and regardless of the law of Congress which is "that the General Assembly shall meet at least once in every year, and such meeting shall be on the first monday in December unless they shall by law appoint a different day" — That this Resolution was never afterwards rescinded by the two Houses, except from time to time, so far as related to the adjournment which took place on the 4th; the Members and Officers of each House receiving their pay for travelling to and from the Assembly: And whereas from the disagreement which has taken place among you, respecting the legality of convening under said Resolution; there is little reason to believe any conclusion or agreement will take place conducive of the General good before the first monday in December, the time by law appointed for you to convene; especially since the two houses have not been enabled during the Term of nine days officially to communicate with each other, or with the Governor composing also one branch of the Legislature; — and because a number of the members have withdrawn so that a Quorum do not now attend, considering a convention of the General Assembly at this time under said Resolution illegal; — and also because until the House of Representatives is so organized that the Governor can communicate with them, he cannot notify to them officially, three vacancies which have taken place in that body during the recess, and the measures taken by him to supply them; yet none of the Persons Elected to fill those vacancies are admitted as members, constituting by their own presence a quorum, as though they had been properly introduced and received as members of your body; — and as this delay and these measures are expensive to the People, tend to harrass and perplex rather than promote the Public weal, and may render any of our Acts or laws doubtful on the score of legality and Constitutionality; — and finding no agreement likely to take place among yourselves, and the different branches of the Legislature: —

I

I have thought it expedient to prorogue the General Assembly;— and I do therefore by virtue of the Powers and authority in me vested as Governor of this Territory prorogue the General Assembly thereof without day.

Given under my Hand and the Seal of the Territory at the Town of Washington this Eleventh day of November in the year one Thousand Eight hundred and seven, and of the Independence of the United States the Thirty second.

(Signed.)

Robert Williams.

By Robert Williams Governor of the Mississippi Territory.

To the Sheriffs of Jefferson and Claiborne Counties Greeting.

Whereas George W.d Humphreys Esquire of Claiborne County late a Member of the House of Representatives in the General Assembly of this Territory from the County of Jefferson has resigned.

I do therefore issue this writ, directing you and each of you to hold an Election conformably to law on the first and Second days of December next to elect a Member to fill the vacancy occasioned thereby.

Given under my Hand and the Seal of the Territory at the Town of Washington in the County of Adams this nineteenth day of November in the year one thousand Eight hundred and Seven, and in the Thirty second year of the Independence of the United States of America.

(Signed)

Robert Williams

I do hereby authorise and empower John Coulter Esquire of Williamson County to administer all oaths which may be necessary under appointments made by me as Governor within said County.

Given under my Hand at the Town of Washington this twenty fourth day of November 1807.

(Signed.)

Robert Williams.

From the Governor to the House of Representatives.

Gentlemen of the House of Representatives.

Dec. 14. 1807.

Henry Hunter and George Poindexter Esquires, members of your House from the County of Adams, and George W. Humphreys Esquire also a member thereof from the County of Jefferson, having since your last Session resigned their seats in the same, and Samuel Bridges Esquire also a member from the last mentioned County having deceased, writs of Election were respectively issued to fill the vacancies occasioned thereby.

(Signed.)

Robert Williams.

From the Governor to the Legislature.

Gentlemen of the Legislative Council and House of Representatives.

Permit me to express my satisfaction in meeting the Representatives of a free people in General Assembly, forming that

that political body on which devolves great responsibility. And, as this responsibility is increased in proportion as our Government is probationary, it behoves us especially in a Legislative capacity, to evidence a conduct worthy of our situation. Next after making our acknowledgements for the many Providential blessings with which we are daily favored, we ought to appreciate the views, and ultimate objects of the general government in affording us full protection, and a proportional participation of those political rights, which are the pride, and boast of every American.

Our deliberations should also evince a disposition to harmonize with each other in a manner becoming intelligence, discretion, and our respective stations: this will command respect abroad, secure tranquility at home, and inspire a just confidence with the general administration.

Although the task of Legislation may be more difficult for us than similar bodies, acting under governments fully matured, and in the complete exercise of the highest political rights, the federal Constitution affords, and which we hope soon to enjoy, in common with our fellow-Citizens in the States, we ought not to shrink from the undertaking — especially, when the causes of these difficulties, are easily traced to their source. The influx of population in our Territory from all quarters of the Union, and from foreign States; the natural advantages of our Country; its acquisition thro' distant portions from other parts of the Union; — combining strong calculations in regard to talent and enterprize, prompted by a prospect of wealth; and bringing also, the various customs, manners and habits, too to mix in ordinary and political transactions, apparently incompatible, in proportion as they

they vary from those, under which each member may have been educated, and accustomed to live: consequently rendering them more the subject of complaint, than if formed by, and for, those of similar habits. Therefore we find it more difficult to prevent innovations which tend to protract the operation of laws, made on the most mature deliberation; and before they have been carried fairly into execution, or tested by experience. There, however, are inconveniences it must be expected those departments of government, whose terms of service, and sources of appointment are various, and more permanent, should take the responsibility of checking and correcting. To effect this, the respective departments of government should exercise — independently of each other those constitutional powers with which the people have invested them; — by which harmony will ultimately pervade the body politic, and the citizens thereby derive the benefit intended by a partitional deposit of their delegated rights. And, Gentlemen, I will take the liberty here to remark, that in a Republican government, existing by the will of the people, where law is Sovereign, nothing can be more incorrect and impolitic than to advocate the physical powers of the people, and their natural rights in opposition to those which are legal and constitutional. By confounding the powers of the people with their liberties the latter is sure to be destroyed. And, notwithstanding the numerous, and fatal examples of this kind, such are the fascinating effects of the term <u>liberty</u>, which like all other heavenly gifts, admits of abuse. The designing and ambitious continue whenever they shall so forth among the people, with sedition and revolt in their hearts, to take liberty in their mouths, and the <u>rights of the people</u> constitute their theme though abstractly until, by, a licentious enjoyment of that freedom, which a representative government affords, the people become the destroyers of their

own

own liberties; not reflecting that extreme liberty is anarchy; and that in societies governed by laws, liberty does not consist in doing whatever we please, but that which is agreeable to law, the rules of morality and our associated rights.

Too frequent a change of laws, prove inconvenient and vexatious to the citizens at large, whose domestic and agricultural pursuits, do not permit their enquiries to keep pace with them, and to which it is presumed, more but professional characters are adequate. Permit me, Gentlemen, to suggest that the happiness of any community does not depend so much on the number of its laws, or the frequent alteration of them, as on their correctness and certainty of execution. It is generally true that the paucity and simplicity of laws, indicate the correctness and simplicity of manners in society.

Previous, Gentlemen, to drawing your attention to objects of a local nature, and proper for Legislative consideration, I will take the liberty to remark, that perhaps no people deserve more the fostering hand of the general government than the citizens of this Territory; and that no quarter of the Union attracts more notice — nor is there any part, on which the attention of all particularly foreigners, and men of enterprize is more directed than to the respective Territories on the Mississippi. Our determinations, therefore, should prove, we merit not only a continuation of those attentions, especially from the general government, by which our wants have been supplied; our rights secured; and the foundation of our present and future prosperity and happiness guaranteed; but that we are entitled to an extension of them.

It is, also, due to the government, and people we represent, that our Legislative act, should do justice to the disposition of our immediate constituency;— that wholesome industry, wealth, talent

talent and enterprize shall be encouraged, and give an asylum among them; - idleness, vice, position and inordinate ambition will be detected and exposed; and their baneful effects defeated.

The occurrences, within a year past, evince this, in a degree highly honorable to the people of our Territory and those of the Western Country generally: the results of which must prove gratifying to every american, and especially the inhabitants of the States and Territories on the waters of the Mississippi; whose attachment to the union have been represented by many as wavering - that they would readily embrace the first opportunity to secede from the mother States; on which it is probable the late attempts alluded to were first conceived. The fallacy of such reasoning is now sufficiently exposed, and our fellow Citizens in the Atlantic States will no longer countenance such reports, or hesitate to migrate. Men capable of such attempts to violate the laws of their country, and to disregard the obligations of Citizenship, will now know that the attachments of this people to law, order and their government, are paramount to the insidious attempts of any. And that those civilities and hospitalities which they extend to Strangers, are not to be construed into a disposition to favor any improper views or schemes they may have in coming among them; that they can censure what in their opinion, are errors in the general or local government, and the administration thereof, without conceiving or intending to countenance sedition, treason, or an illegal opposition to the laws and Constituted authorities.

Although the right to investigate freely, the acts of an administration, and to scrutinize the conduct of public officers with candor, decency and independence, constitutes one of the principal attributes of Republicanism, and will always be pleasing to a correct administration, and a faithful officer; yet the freedom

and

and licentiousness of this right being as necessarily connected as the power of doing good and evil, it would be hazardous to fix or undertake a limitation. Therefore, in a political point of view, the best corrective for an abuse of this privilege, is generally found in the good sense and discretion of the people, who although false representations and licentious publications, may mislead for a while, will finally determine right and act correctly: for it is impossible the people at large can wish to remain deceived or to act wrong. The correctness of this position is proven by the wise construction of our government resting on the will of the people; all its officers ultimately, directly or indirectly responsible to them.

That a government can be formed so pure or an administration so correct, as to please all, is not within the power of human wisdom: We are, therefore to look out for discontents, and it is better the political intolerance of the restless and discontented should evaporate and pass off, in licentious publications among an intelligent people, than remain concealed, cankering in the bosom of faction, and party until it ripens into sedition and insurrection. I have thought that in Countries where this freedom is most tolerated, those evils are less frequent and fatal; — because the instigators of them are sooner known, their motives better understood; and the political effusions of their disordered minds pass away by degrees or become harmless in the community, while the authors of them are amused, believing all the mischievous purposes contemplated by them are progressing with effect.

Having, Gentlemen, with due deference, submitted these general remarks, I take the liberty of drawing your attention to some of the most important objects worthy of your

consideration.

consideration; among which education should be the first— On the importance of this subject I presume little diversity of opinion exists, since all the purposes of human institutions for the prosperity and happiness of man depend thereon, and without which in society, religion knowledge and government must yield to vice, ignorance and disorder— even the moral principle loses its influence in a community, wherever the Science, cultivation of the arts, and the improvement of the human mind are neglected: nor can a republican government exist long in any country where these objects are disregarded.

Under a full conviction, therefore, that institutions for the instruction and education of youth among ourselves, are of primary importance, will be properly appreciated and any reasonable expense towards the establishment and support of them, cheerfully met by our constituents, I am justified in suggesting for your consideration, the expediency of authorizing in each County or other district of Country, schools under the ultimate superintendence and controul of public authority, as may be most advisable by the General Assembly. These will form nurseries of education in which literary Characters can be reared to supply our college, and will be the most effectual means of urging that institution into operation: for such are the effects of virtue and knowledge, that to be instructed in them, increases the desire to pursue them. And, until this is done, or proper literary establishments take place among us, our youths must continue to be sent abroad to complete their education; the inconveniencies of which in a political and pecuniary point of view, must be obvious to every reflecting mind, and renders it unnecessary for me to multiply remarks on the Subject.

Next, Gentlemen after a community provides for improving the understanding of its members, and disseminating knowledge among them, ought to be a provision for rendering life comfortable and labor productive. To facilitate intercourse, with each other

other, and the means of communication, are necessarily presented as proper for the obtainment of these objects. It cannot be expected, however, that every requisite which a general view of this subject must suggest, can be now complied with, since our state of population will not justify an appropriation of the means necessary; which ought not to exceed the convenience of the people. Among the most important objects conducive to these ends within our power is the improvement of our public roads, and highways, the necessity of which is so obvious, and the advantages resulting therefrom, must be so apparent to every member of your body, and to the community generally, as to render any farther observation on this subject surely, except that I am persuaded from many communications on this subject, the inhabitants of this Territory will comply cheerfully with any reasonable requisitions for that purpose, which the general assembly may deem expedient, and think proper to impose.

Permit me, Gentlemen to draw your attention to some of our criminal laws, which perhaps on reflection, may be found incorrect in point of principle. I allude to the mode of trial for capital crimes of a certain description of offenders to wit Slavey and the punishment prescribed, for committing certain acts under the belief of complying with the laws of honor. As to the first, perhaps more solemnity and formality in trying these persons for life and death, may better accord with the principles of our constitution, the genius of our government, and system of Jurisprudence;— because to deprive a human being of existence is the highest perogative of society: And, to the second, whether the punishments inflicted are not too severe, especially so far as the statute creates the offence. For to take away the right of citizenship is next to the privation of life.

Whenever

Whenever punishments exceed the degree of criminality; and are opposed to the common opinion and understanding of the people, the force of example in inflicting them is lost to Society; and their execution too frequently defeated. Laws should be made as much with a view to prevent the commission of crimes, as to punish them; and the existence of laws ought to depend on the probability of their execution.

I also recommend, Gentlemen, for your consideration a revision of our Militia laws; and the law respecting executions passed during your last Session. The laws affecting the Militia are rather complex; and not easily reconciled in all their parts; independent of their being ineffective. Laws so general in their operation cannot be too simple and easy of comprehension by the people, on whom they are to operate. The unsuccessful attempts of the General Assembly to amend these laws during several Sessions of the Legislature, afford an additional reason for believing the system defective. And, as to that touching executions, although it may be correct in principle, it is found on being carried into operation inapplicable in some of its provisions to our Judiciary System.

It is necessary, Gentlemen I should inform you, that the printing of the Statutes and laws of this Territory, has been completed, and that I have taken the responsibility of not having them bound. This was thought advisable until the printed copy should be compared with the original; and corrected by the Digester; especially since notwithstanding the judicious manner that Gentlemen appear to have executed their work, the variations from the original Statutes are such, as may render the intervention of the Legislature necessary, as it is presumed most of those variations are attributable to interpolations and abridgments made by that body while the work was before it for inspection; the effects of which in a legal point of view, may be dubious, and such as

were

were not contemplated at the time of enacting them; even should they be found to correspond, with the legislative powers of the Legislature as to the mode and manner of their introduction. Further information on this subject shall be communicated to you Gentlemen, at an early period of your present Session.

As to the laws regulating our fiscal affairs, no report having been made during your last Session; and his declining though requested, to afford any information relative thereto it would be hazardous for me to suggest previous to seeing the report of his Successor, any modification of the present System, for the improvement of our Revenue beyond such as we individually possess. You are consequently referred for information on this subject to the annual Treasury reports to be made at the present Session of Assembly. By this I am persuaded it will appear our resources, and the means to which we may yet resort, are sufficient to authorize a speedy extinguishment of the Territorial Debt, and no longer suffer it to remain an object of authorized speculation.

I cannot, Gentlemen consistent with my own sense of public duty, and the interest we must all feel for the future prosperity and happiness of our Country, omit drawing your attention to a subject which I am aware may be equally delicate as important on the score of Legislation. I allude to the introduction of a certain species of population amongst us. That individuals should incline to pursue their particular and immediate interest regardless of future consequences, and in opposition to that of the community of which they are members, is not uncommon, though to be regretted; — hence the necessity of interposing the will of such community to check and abridge the enjoyment or exercise of their individual rights and privileges, when opposed to the public good. Slavery being already in our Country, we have only to guard

against

against too great an accumulation of the evil and its consequences, perhaps this cannot be consistently done, but by regulating and limiting the mode and manner of introducing slaves into our Territory. I submit, therefore, whether it may not be proper to prevent their introduction amongst us, for the purpose of traffic and trade; by those too, whose motives and sole objects are pecuniary and who have no immediate or particular interest here, or concern for our political prosperity and individual happiness. Were they introduced by those intending to reside among us, by which a relative proportion in our population might be kept up, the conclusions would be different from those the facts now warrant. But they are rummaged from the Jails and Criminal cells, of the Atlantic States being mostly the dregs of this degraded class of human beings who are brought, and let loose amongst us in this way by abet of mercenary characters, many of whom have no residence here or else where, of course feel no responsibility or concern, as regards policy or humanity. Was there a probability of this evil becoming stationary, we might better risk the consequences; but the reverse will be the fact. The productiveness of our soil, the proceeds of labor, and with all the favourableness of our climate for these people, will continue to encourage their introduction and increase their population, in a ratio heretofore unknown in any Country. We are justified in this conclusion from the last twelve months experience. Policy, Gentlemen, dictates that the consequences to be dreaded and guarded against, should be mentioned and acted on with as much prudence and reserve as possible.

In connexion with this subject late occurrences render it necessary I should call your attention in a particular manner to that part of our laws authorizing patroles. To comply strictly with the present laws on this subject, would prove very

expensive

expensive, I have therefore, not urged their execution except when absolutely necessary. The allusions here made are, that during the past Summer I received information from undoubted authority that an insurrection of the blacks within the vicinity of this place, was suspected, with a request from some of the most respectable residents, that I would order an immediate patrol, which was done accordingly. But finding this would prove inconvenient and harrassing to the inhabitants — expensive under the present laws, and after all not secure perfect safety against attempts of the kind, especially the seizure of any collection and deposit of Arms for the purpose of an immediate recourse; — I thought proper to avail the public with the services of the united States Troops within our Territory, and accordingly made an application to the Commandant at Fort Adams, who cheerfully afforded a Lieutenants command of men, to be stationed at Fort Dearborne. As this was supposed the contemplated point of rendezvous, a portion of these Troops have alternately patroled within the Town of a night whilst the public safety seemed to require it. An opportunity so favorable in point of security, and to save expense might not be within our power to obtain on another and similar occasion; — hence the expediency of Legislative attention to this subject.

Some interpositions of the Executive Department of our government have taken place suspending for a while, the final operation of certain Judicial proceedings until they could be brought before the Legislature: These together with some objects of a local nature shall be made the subject of future and special communications during your Session.

Thus, Gentlemen, I have without reserve endeavoured to draw your attention to some of the most important objects worthy of your consideration, and requiring Legislative aid, not

not presuming, however, but that many more, of equal and greater public concernment which I have omitted to notice, may occur and be embraced in the course of your deliberations; all of which I have no doubt, will receive that attention their importance may demand. You may rely, Gentlemen, on an attentive and faithful support on my part, and that I shall cheerfully unite with the other branches of the Legislature in all measures which may be thought conducive to the public Weal, and tend to advance the associated and individual happiness of our fellow Citizens.

(Signed.) Robert Williams.

to
December 14. 1807.

Town of Washington Dec: 15. 1807

General Orders.

The uniform for the Field-Officers of the Regiment of Horse shall be as follows.

Blue faced with scarlet; Gold laced button holes; yellow buttons, and Epaulets — white under cloathes — Sabres slung with white belts.

(Signed.) Robert Williams
Governor of the M. Territory

From the Governor to the Legislature.

Gentlemen of the Legislative Council and house of Representatives.

You are hereby informed that the tax collector for the County of Washington by reason of sickness, has not commenced the duties of that office, and has resigned his appointment. In consequence of which the assessment under the act, "directing the appointment of tax collectors in this Territory, declaring their duties in office, and for other purposes therein mentioned." cannot be completed by a Successor within the time prescribed by the said act. It is therefore proper the Legislature should provide a remedy.

Signed

Decr 22. 1807.

Robert Williams.

Washington December 23. 1807.

Sir,

Your letter dated Natchez instant relative to the arrival of a Barge with a Negro on board who has the Small pox, I have received by Mr Miller the Marshal.

I have no doubt as to the facts stated in your letter, but by adverting to the law on this subject, you will find, they must be known by the Governor from his own observation, or by information being given to him by a Physician. Please therefore cause some Gentleman of that profession to report the facts to me, and the necessary measures under the law shall be immediately taken.

I would give my personal attention to this business in the morning, but my presence near the Legislature will be necessary until to morrow evening.

Excuse haste and accept of my respects.

(Signed).

Robert Williams.

Samuel Brooks Esquire
Mayor of the City of Natchez.

By Robert Williams Governor of the Mississippi Territory

To the Legislative Council and House of Representatives.

Gentlemen,

Believing the public interests will be promoted by a recess of the General Assembly, since several members are absent, and others unable to attend, in consequence of their own and family's ill state of health:—

I do therefore, prorogue the General Assembly until the first Monday in February ensuing.

In Testimony whereof I have hereunto set my Hand and affixed the Seal of the Territory at the Town of Washington, this twenty fourth day of December in the year one thousand Eight hundred and seven and of the Independence of the United States the thirty second.

Seal.

(Signed.)

Robert Williams.

From the Governor to Harry Toulmin

No. 76

Town of Washington January 23. 1808

Sir

I received by last mail your letter of the 9th instant inclosing a draft and letter of advice relative thereto, for the sum of one thousand dollars, drawn by Mr. Edmund P. Gaines in favour of yourself on me as Governor of this Territory.

Mr Gaines says "being one half of the reward which by your Proclamation of February last you offered for the apprehension of Aaron Burr— the remaining one thousand dollars I design for Majr N. Perkins &c &c."

Notwithstanding the transaction which gives rise to this claim

claim, took place so long ago, Mr Gaines must on reflection consider his drawing at this time and in this way premature. He must know from the tenor of the Proclamation that some previous steps and arrangements would be necessary to his receiving the reward offered by that Proclamation.

This is the first and only application from him on this subject; and I did understand that he set up no claim to it. In fact he says agreeable to your letter "I would not have asked for the money but for the vast expense Burr has occasioned me."

In this affair, Mr Gaines must be sensible that I act only in the character of an Agent of my Government, consequently cannot as such appropriate money, but with its approbation and consent,— I shall therefore without delay forward Mr Gaines demand thither, and will inform him of the result as soon as it shall be made known to me.

It may be proper in the meantime for Mr. Gaines to be advised that Colonel John Caller and Mr Brightwell Sheriff of your County made a written communication to me immediately after the arrest of Colonel Burr in anticipation of the claim now made by Mr. Gaines, seemingly contesting his right to the Reward.

I shall transmit this communication to Mr Gaines through you.

I am with due respect your

(Signed.)

Robert Williams.

From the Governor to the Legislature

Gentlemen of the Legislative Council and House of Representatives.

Owing to the inclemency of the weather, and the indisposition of some of the Justices of the Quorum the Court last to have been holden for the County of Adams totally failed

failed.

It is therefore submitted for the consideration of the Legislature whether it is not expedient to provide against the inconveniencies which may result from a suspension of the administration of the laws, as well in this particular instance as in future and similar occasions which may happen.

Signed

Robert Williams

Washington February 11th 1808.

General Orders.

Sir,

William Conner and Thomas Hinds Lieutenants in the Adams and Jefferson Troops, have been appointed Majors in the Regiment thereof, consequently the offices they lately held therein are vacant — also the Captain of Jefferson Troops has resigned his office as such — You will therefore give the necessary orders for nominating by the respective Troops proper Characters to fill those vacancies.

I am &c.

(Signed.)

Robert Williams.

Walter Burling

Col. of the Regiment of Horse.

From the Governor to the Secretary of War.

† 77

Town of Washington N. J.

February 26. 1808.

Sir,

The enclosed copies of a letter and extract from Edmund P. Gaines and Judge Fowler to me dated respectively November 27th 1807. and January

January 9th. 1808, gives rise to the present address. I also inclose a copy of my answer to Judge Toulmin respecting these letters, and of General Wilkinsons letter to me dated 21st. of January 1807.

It was this letter of the Generals which induced me to believe that any expence within the limits stated by him, incurred for the purposes therein mentioned, would be sanctioned and paid by the Government; and had an application been made for apprehending Mr Burr under my Proclamation, I should have given it the direction pointed out and advised by the General. However Mr Gaines being himself a military Officer, under the Command of General Wilkinson, and making no claim under the Proclamation alluded to, took it for granted none was set up — Indeed such seems to have been the fact — how far, therefore, or whether, other or subsequent events ought to give rise to this claim, and also the course I ought now to pursue are respectfully submitted for your consideration.

I request your advice and opinion, as soon as convenient.

I have the honor to be,

respectfully yr.

(Signed.)

Robert Williams.

From the Governor to the Legislature.

Gentlemen of the Legislative Council and House of Representatives.

I deem it expedient to inform you, that I have concluded not to consider the Legislature in session after to day, during which time acts of your deliberation

deliberations shall receive any particular attentions.

March 1st. 1808. (Signed.) Robert Williams.

By Robert Williams Governor of the Mississippi Territory

To the Legislative Council and House of Representatives.

Gentlemen,

Being of opinion that it is expedient, the General Assembly should be dissolved:—

I do, therefore, as Governor dissolve this General Assembly.

Given under my Hand and the Seal of the Territory at the Town of Washington this first day of March in the year one thousand Eight hundred and eight and of the Independence of the United States the Thirty Second.

Seal.

(Signed.) Robert Williams.

From the Governor to the Secretary of State.

Mississippi Territory

Town of Washington March 8th 1808.

Sir

On the 1st instant I dissolved the General Assembly. This power being possessed by the Governor when in his opinion it may be thought expedient; I should not trouble you with any observations on the subject, were it not that I know, representations are and will be made tending to impeach my motives, as well as to question its propriety if not legality. It, therefore, becomes my official situation to inform you candidly and fully the reasons which dictated the measure.

The present Council was raised from a nomination, made by nine Representatives, two of whom were admitted and held their seats in consequence of the improper conduct of the Sheriff against two who had a clear and considerable majority of the whole votes— That, that nomination when made was so influenced by party, that principle was totally disregarded. To such a pitch did that Assembly carry opposition to each other, that it rose after a Session of near four months without performing one of its most important and constitutional duties, to wit the appointment of a delegate to Congress.

My being then here a Commissioner only afforded me complete access to a full understanding of the motives which influenced the members composing that Assembly and I do declare that with a very few exceptions the whole nomination was with a view to embarrassment, opposition and disappointment to each other as parties.

It will be recollected that after I came into office as Governor I had to convene the General Assembly principally for the purpose of appointing a delegate to Congress and then threatened dissolution before they would comply.— That one of the least exceptional Characters nominated did shortly after so that the Selection for a Council had to be made from nine instead of ten— that the representation is now increased from nine to twelve members— the right of suffrage extended nearly one half with an increased population in perhaps the same

same ratio — Hence I thought it sound policy to let an increased representation upon an extention of suffrage on an increased population have its full weight.

I will however observe that this step has not been taken without due reflection by me, whether and how far a dissolution of the General Assembly terminates the Council a body Commissioned by the President, and that the result of my deliberations have been and are that, the effects must be the same on all the branches of the Legislature: The Council as well as the House of Representatives are elected by the people, though indirectly and the agency of the President in Commissioning I consider a part of the mode of election. The terms of service of both Houses are fixed by the ordinance. The Commissions of the Council being revocable by the President can only be considered an additional check on that body or any member of it; but does not therefore render their tenure of office more permanent or exempt from the Provisions and condition of the ordinance which gives the Governor the power to dissolve the General Assembly, thereby destroying the Legislative functions of each branch and suspending her over until an Assembly shall be again raised. The Governor has a Character distinct from that of Legislation, but the Council have not. They together with the Governor and House of Representatives form the General Assembly which is the subject of dissolution.

This being an important case and perhaps the first that has occurred under a Territorial Government, I shall not feel any chagrin should the opinion I have formed as to the effects of a dissolution on the Council be overruled, but I shall be extremely mortified to learn that the Government under which I live and with the the administration of which I am charged should be so embarrassed as it must be with the Council.

I do not believe that one third of the Citizens will vote at the next general election if they have not a prospect of a new Council — At the last general election and those to fill some vacancies during the past Summer when there are six or seven hundred voters from Eighty to one hundred elected a member favouring the character of the Council they would not turn out to the election, consequently those of similar dispositions are more elected

elected to the House of Representatives— Nothing more common than for the two houses to pass bills knowing them to be in violation of the ordinance and laws of Congress embracing popular objects in order that the Governor should be under the necessity of disapproving them, and thereby afford them grounds to clamour— to give you an example, they passed a bill apportioning the Representatives in part of the Territory, although they had previously memorialized Congress on the subject which the present Session of Congress has acted on and granted.— With such a Legislature it was impossible to get along as the public interest required, and the correction would be but partial and in part by the next General election, without a dissolution— For these reasons I am clearly of the opinion that if ever the power of dissolution ought to be exercised it was in the present instance.

No inconvenience can occur because the General election takes place in July, time enough for a Council to be nominated and appointed before the annual meeting of the General Assembly, and that election I am satisfied will shew the sense of the people as to this party that now embarrass &c

Please favor me with your opinion as soon as convenient.

With sentiments of high consideration

I am yrs

James Madison Esqr
Secretary of the State
of the United States.

(Signed.)
Robert Williams.

P.S. There are several members of the Council independent unprejudiced men who I presume would and ought to be again nominated.

From the Governor to Col. Jacob Kingsbury

No.

Washington March 23. 1808

Sir

I take the liberty to suggest the propriety of stationing a portion of U. States Troops at Fort Dearborn near this place. It is eligible as to situation, health, fine water, fuel plenty and convenient belonging to the United States on the tract of land purchased for the purpose of erecting this Garrison. It is at present sufficient for the accomodation of a Battalion or more without any expense to the United States and with little labor to themselves. These works must go to ruin in a few years if not occupied. — Independent of these considerations, our insular situation together with the Character and state of our Population require such an establishment. So well am I convinced of the probable use for some such force in this quarter, that should the arrangement now suggested not take place I shall whilst charged with the Supreme administration of the laws feel myself bound to order some regulations of the Militia, which generally prove harrassing to the Citizens and difficult of execution for any length of time, as well as much more expensive and less effective than Troops on regular establishment, especially when their use depend on contingencies.

Troops could pass from this to any point at which they might be wanted, within a few hours, as soon, as from any other, and to most places much sooner.

Your own knowledge of this place as to supplies being as easily obtained and cheap render any observation unnecessary on that score, also that it is a point at which the recruiting Service could be carried on more expeditiously than any other, for particulars on this point I beg leave to refer you to my letter to you last Summer.

Please give me an answer as soon as convenient.

I am with consideration & Respect
Yr.

Robert Williams.

Col. Kingsbury
Commandant at Fort Adams.

From the Governor to the Secretary of War

Mississippi Territory
Town of Washington
March 26. 1808.

Sir,

A few days ago I received a letter from a Mr Noah Linsley informing me, that the payment of a bill, drawn by myself as Governor in favor of John Henderson, on the Secretary of War, for the sum of $261.81¼ cents, had been postponed until the letter of advice mentioned in said bill should be received.

It is probable through the hurry of business, I might have omitted to forward the letter of advice, as I do not find it on record. This bill was, however, drawn to cover a balance stated to be due from the United States by the Quarter master as per his letter and account current a copy of which together with the account I forwarded by my letter to you of the 20. of June— You will find in the last paragraphs of the Quarter masters letter to me a mistake in his addition of the different sums, instead of $186.81¼ cents they make $261.81¼ for which this bill was drawn.

I have never received any answer to that part of my letter of June the 20.th requesting your instructions relative to Guns and Military Stores on hand an account of which I then forwarded.

I have the honor to be
respectfully
your
(Signed.)
Robert Williams.

The Honble
Henry Dearborne
Secretary of War

From the Governor to the Secretary of War.

Mississippi Territory, Town of Washington

March 29. 1808.

†

18

Sir

I now enclose some vouchers which perhaps may be expected by the account of the expenses incurred in sending Mr Smith to Richmond agreeable to my letters of the 24th and 28th of September and forwarded by my letter of the 4th of October, duplicates of all which I also enclose.

The reason those vouchers were not forwarded with the account is, that I had not possession them from Lieutenant Bowie at that time, in any other manner than as to the amount, and since which by one casualty or another it has been omitted, which, however, Smith has not been considered material.

I am respectfully your very Humble Servt

(Signed.)

Robert Williams

The Honble

Henry Dearborne

Secretary of War

From the Governor to the Secretary of War.

Mississippi Territory, Town of Washington.

October 4th 1808

†

19

Sir

Inclosed is the account current of expenses incurred in sending on John Smith, under a commitment of Judge Rooney to the City of Richmond agreable to my letter of the 24th of September.

I have the honor to be respectfully

(Signed.)

Robert Williams

The Honble

Henry Dearborn

Secretary of War

6

From the Governor to the Secretary of State.

M.T. Town of Washington April 13. 1808.

Sir,

80

My reasons for this address to the President of the United States is, that in case I have mistaken my powers or the proper Department of Government, with which I should have corresponded and directed some of my official acts, to solicit his aid, as I am still at a loss in this respect, so as to prevent my sustaining a considerable loss, in consequence of doing what I conceived the public interest and my duty under order demanded.

The facts alluded to are; that bills drawn by myself as Governor on the Secretary of War to provide the means of transmitting John Smith of this State of Ohio, under a commitment from judge Rodney of this Territory, to the City of Richmond Virginia), where he stood Indicted as a party in Burr's Conspiracy, have been protested for non payment and returned with a claim for costs and damages.

In order that you may be fully informed on this subject I herewith inclose a Copy of the commitment and my several letters to the Secretary of War on that subject with their references No. 1. 2. 3. 4 and 5. together with the account vouchers and protested bills.

Notwithstanding I have no apprehensions that my Government will subject one of its Officers to a loss for acts done (as he conceived) in obedience to its wishes, and in compliance with the duties of his office agreeable to the dictates of his own conscience and best judgment, in case too, where the interest of the Union was materially affected, I will take the liberty to subjoin a few remarks.

That I had a right to believe the Secretary of War, the proper person with whom I should communicate on this occasion, and that all reasonable expenses incurred for the purpose of defeating such a Conspiracy and bringing the promoters of it to justice, would be readily met by the Government and that I was authorized to this effect, is deducible (irrespective of

of any opinion of mine founded on the ordinary duties of any office) from the following circumstances and facts;— That all the orders and communications to this Government direct or by the Commander of the Army General Wilkinson deemed to be communicated from the President through the Secretaries of War and Navy;— That General Wilkinson in advising the arrest of Burr and others, says in a letter to me that any sum not exceeding $10,000 may be drawn for on him, for that purpose. 4th A Copy of this letter of the Generals I forwarded to the Secretary of War;— That (independent of the Presidents proclamation particularly instructing Governors of Territories) on bills of Indictment being found against the Conspirators, Copies were forwarded by the Attorney General of the United States, to me, against those supposed to be in this quarter, to wit, Tyler, Floyd, Blannerhasett &c. for the purpose of having them arrested and conveyed to Richmond; the two latter however had previously gone to the States of Kentucky and Ohio, and Tyler to the Territory of Orleans, where I forwarded the bill of Indictment to Governor Claiborne and he was arrested and sent forward. Smith it was understood, here, was, at that time, in the Spanish Country (Florida) and we had a right to believe that his arrest and conveyance to the Court at which he stood Indicted was equally desirable with that of Blannerhasett and others, who were similarly situated. Although no bill was forwarded against Mr. Smith I presumed it to be because it was not known to the Attorney General where he was or that he knew him to be without our jurisdiction. The manner of his coming within it will appear from the reference Copies which have been also forwarded to the Secretary of War, but as its probable they may have failed getting on as some of my other communications have I forward the present.

I had understood that Mr Smith was determined not to deliver himself unless in consequence of previous arrangements and conditions with the Government. This he attempted as his letters to me will shew, and to which I was determined not to consent, at the same time I thought it policy to insure his surrender, and that all the lenity the law would authorize consistently with the public interest and his station in life command, should be afforded.

In addition to this, example taught me to believe that expenses

incurred

incurred relative to this Conspiracy were to be paid through the War Department. Because bills for some thousands of dollars had been drawn for this purpose on the Secretary of War by Mr Mead the Secretary previous to my arrival and paid without the accompt and vouchers; for it was with much difficulty and trouble I rummaged them up in the course of the Summer and sent them on.

Thus I have afforded the means of full and compleate information relative to this transaction, and I hope to be excused in making a candid appeal to my Government, and ask what other line of conduct I could have pursued on this occasion, and to sustain the views and interest of the Government, as universally and enthusiastically conceived independently of my own and responsible situation. Here was a man high in office and station, charged on Indictment found for capitally offending against his Government and the laws of the Country, and being committed by a Superior Federal judge of the Territory— I was called on as the Executive (there being no Marshall) to have the law in this respect executed. This could not be done without means; men horses, travelling equipments and money were necessary. Part of these I furnished myself as the accompt will shew, the two horses I furnished at a considerable disadvantage rather than detain any longer in trying to purchase, it being a time of the year they were scarce; even this short delay and the economy used in sending so small a Guard subjected me to the malignant remarks of a certain party, this however, gave me no concern, unless circumstances had warranted them, which to have been less vigilent and active in possessing and sending on Mr Smith might have afforded— nay the smallness of the guard was and continues to be objected to, but I knew Capt. Neal and could confide in his integrity and ability to carry Smith safely. To have employed a guard of six or more which was advised and had been practised on other instances must have cost much more than the sum in question, unless I could have drawn them from the Army, and I did try to avail the public with a guard from this source as you will observe, but could not.

As

As I cannot conceive it to be just, nor the intention of the Government to impose the payment of this sum expensed to my use, on me, I have ventured to draw two sets of duplicate bills in favor of John Hunderson for nine hundred and ninety dollars the amount only of the protested bills, relying that the costs, damages and interest which I have been subjected to pay as per voucher No. 6. herewith inclosed, will be allowed me. These bills are drawn on the Secretary of State, as from what has taken place, I am yet at a loss on which Department to draw and trusting that the payment will be directed through the proper Department.

I have the honor to be, with great consideration

yours.

(Signed.) Robert Williams.

The Honble
James Madison
Secretary of State of the
United States.

P.S. Should there be any omissions as to the form and manner of making out the account vouchers &c. I trust it may not affect the payment of the bills, and on their being notified to me, will correct them.

R.W.

Thomas Jefferson President

of the United States of America

To all who shall see these

presents, — Greeting: —

Know ye, that reposing special

trust and confidence in the patriotism, integrity

and abilities of Robert Williams of North

Carolina

carolina, I have nominated, and by and with the advice and consent of the Senate do appoint him Governor in and over the Mississippi Territory; and do authorize and empower him to execute and fulfil the duties of that office according to law; and to have and to hold the said office, with all the powers, privileges and emoluments to the same of right appertaining for the term of three years from the first day of this present month of March, unless the President of the United States for the time being should be pleased sooner to revoke and determine this commission.

In Testimony whereof I have caused these letters to be made patent and the seal of the United States to be hereunto affixed.

Given under my hand at the City of Washington the fourteenth day of March in the year of our Lord one thousand eight hundred and eight; and of the Independence of the United States of America the thirty second

Th: Jefferson

By the President

James Madison Secy of State

I Robt Williams do solemnly swear that I will support the Constitution of the United States.

(Signed) Robert Williams

Sworn this 29th day of April 1808.

Before me

(Signed) H. Starke

Justice of Peace for Adams County

I Robert Williams do solemnly swear that I will discharge with fidelity and according to law, the duties of Governor of the Mississippi Territory, to the best of my skill and abilities.

Signed Robert Williams

Sworn this 29th day of April 1808.

Before me

signed H. Starke

Justice of Peace for Adams County

A transcript of the foregoing Journal from page 209 — has been this day transmitted to the Secretary of State.

Town of Washington July 1. 1808 —

Tho. Williams

Secretary Mi. Territory

From the Governor

to

Col. Richard Sparks.

Washington augt 8. 1808

Sir

By express last evening I am informed that the Chactaw Indians have made an attack on the inhabitants residing on the frontiers of Wilkinson County. They have done considerable mischief, by burning houses and destroying property.

My information also states that an engagement has actually taken place between

between a party of about nineteen whites and thirty Indians one of the whites wounded and some of the Indians killed — the latter proving two numerous: Kept the ground and pursued after the whites retreated. Most the inhabitants are flying from their homes under an expectation of another or other attacks.

I have therefore thought it most expedient for a variety of considerations to call on a part of the regular troops under your command. I wish one company to be detached from Fort Dearborn to be stationed on the frontier of the Natchez trace to Tombigbee, and one company from Fort Adams to be stationed on what is called the Indian trace, near one Road's in the neighbourhood of the mischief done.

I have consulted Major Stoddard on the occasion, and all things will be in readiness for this company to move on the return of the express with your answer and orders, which we hope may be by Wednesday.

I am with great respect

Yr Hble Servt

Robert Williams

Col. Richd Sparks,
Commanding at Fort
Adams.

From the Governor
to
Major Jones.

Washington augt 11. 180

Sir,

You will on the receipt of this order immediately detach from the militia composing your battalion, a Subaltern and twelve men for duty. They are to be on horse back, well armed and supplied with twelve rounds of ammunition per man.

This detachment is to act as a scouting party to a company of the United States' troops which will be stationed near the Indian boundary on the Natchez trace leading to Tombigbee, and to patrole along said boundary so as to unite with a detachment of militia under similar orders acting as a scout to another Company of the United States troops to be stationed on the Tunica trace in Wilkinson County. This detachment is to unite with the regular troops in protecting the inhabitants from any aggression of the Indians by employing force; and to apprehend such as may be in arms making warlike appearance, or under circumstances tending to create suspicions of hostility against the inhabitants on this side the line. This detachment will rendezvous and

and be stationed near the encampment of the regular troops — be under the command of the officer thereof, and to whom they will give information of any hostile appearances.

The necessary supplies of rations &c. will be furnished from the encampment of the Troops of the United States.

Major John J. Jones.

Robert Williams

From the Governor
To
Col. Joseph Davis

Washington augt. 11. 1808.

Sir

You will on the receipt of this order immediately detach from the militia composing your Regiment a Subaltern and twelve men for duty. They are to be on horseback well armed and supplied with twelve rounds of ammunition per man. This detachment is to act as a scouting party to a company of the United States troops which will be stationed near the Indian boundary on the Tunica trace leading to Tombigbee, and to patrole along said boundary so as to unite with a detachment of militia under similar orders acting as a scout to another company of the United

United States' troops to be stationed on the Natchez trace in Adams County. This detachment is to unite with the regular troops in protecting the inhabitants from any aggressions of the Indians by employing force and to apprehend such as may be in arms or making warlike appearances, or under circumstances tending to create suspicion of hostility against the inhabitants on this side the line.

This detachment will rendezvous and be stationed near the encampment of the regular troops — be under the command of the Officer thereof, and to whom they will give information of any hostile appearances.

The necessary supplies of rations will be furnished from the encampment of the troops of the United States.

Robert Williams.

Col. Hugh Davis,
Commandant of the 5th Regt

From the Governor
To
The Secretary of War

Mississippi Territory
Town of Washington
augt. 12. 1808.

Sir,

A few days ago the inhabitants on the frontiers of Wilkinson County on the river Amite were alarmed by some Chactaw Indians, who did some mischief on the first day they were seen in the neighbourhood — the day after, a much greater number about thirty appeared, painted and making a war-like appearance, destroyed a man's plantation, burnt all his houses and property, except what they could take off. A party of whites assembled to resist them and a skirmish took place between nineteen whites and thirty Indians; the former had to retreat, and the latter pursued until three or four men who were carrying off a wounded man, and likely to be overtaken, fired among the Indians and it is said killed two, on which the rest gave up the pursuit.

I have requested two Companies of the regular troops in aid of the militia to be stationed on the frontiers, to defend and quiet the Inhabitants, as they were alarmed

their

their homes.

One Company of Troops will leave Fort Dearborn tomorrow, the other will go from Fort Adams.

I will forward you a full statement of this and other aggressions by the Indians next mail, or as soon as I can possibly myself of all the particulars.

I am respectfully
Sir
Your Ob. Serv.t
Robt. Williams

The Hon.ble
Henry Dearborne
Secretary of War

From the Governor to Silas Dinsmoor Agent to the Chactaws.

Washington August 15. 1808.

Sir!

Information has been given to me that a party of Chactaw Indians have done considerable mischief on the frontiers in Wilkinson County. The most important particulars are that a few Indians after committing sundry acts of rudeness on one day which being in some measure resisted, returned within the

settlement on the next with a much greater number, fourteen and making a warlike appearance, demolished and burnt the house, broke and distroyed all the furniture &c. of a Mr. Montgomery, after firing several guns at himself and family by which they dispersed the plantation. The next day the Indians were followed and overtaken by a party of about nineteen whites, a few miles on this side of the line, when a skirmish of fifteen or twenty minutes took place— the Indians at that time consisting of about thirty in number— one of the whites wounded and some Indians killed and wounded;— the Indians it is stated were killed in the pursuit of the whites after they retreated.

I request that you will take immediate measures with that nation to have an explanation relative to this affair, and report to me the result. In the mean time I have ordered two companies of the United States' troops to be stationed at proper distances apart near the line with a scouting party of mounted militia attached to each as well to protect the inhabitants, as to prevent any irregularities by either the whites or Indians.

Your

Your own knowledge of their proper
together with your known discretion render
it unnecessary for me to dictate the course
proper for you to pursue on this occasion.

You will inform the Nation the
force sent on the frontiers is not for hostile
purposes, unless they render it necessary by their
own conduct, and that peace with them is
what we wish.

I am with respect
Yr.
Robt Williams

Julius Demmon esqr
Agent to the Chactaw
Nation in his absence
John Pitchlynn Interpreter

Extract from the governor to Col. Sparks.

Sir

In answer to your letter of the 9th
instant I can only observe that from every
information yet received relative to the
disturbances on the frontiers by the Indians,
and their disposition to commit further
hostilities in that quarter, there is no cause
for countermanding my requisition to you

of the 8th instant, for two companies of the United States troops under your command.

The Company from Fort Dearborn marched on saturday.

Regret the inconvenience you suggest in forwarding the necessary supplies &c. with the detachment. Those of a similar nature existed here, which however, have been removed by arrangements made by Major Stoddard and Mr. Elliott, by employing waggons to transport supplies at the public expense, and drawing for the amount.

I enclose you a copy of my order to Col. Davis.

I have taken the necessary steps for an explanation with the Choctaw Nation relative to this affair, and until which I expect the force ordered out will be kept up.

I am respectfully

Yr. ob. Servt.

Robt. Williams,

Col. Richard Sparks
Commanding at Fort Adams

284.

From the Governor to the Secretary of War

Mississippi Territory

Town of Washington Augt. 19. 1808

Sir

Agreeably to my letter by last mail, I now enclose for your information the most important and necessary documents shewing the nature and extent of the Indian aggressions mentioned and alluded to in that letter— as also the measures taken in consequence thereof.

I apprehend frequent occurrences of this kind unless some further regulation, and hard repulsing our intercourse with those tribes. Could they be prevented from coming amongst us except with passports, and from strolling through the settlements, it would save much trouble and expence to the United States: This cannot be prevented unless the laws regulating our intercourse with the Indians were reciprocal in that respect, which I am persuaded the Nations would be easily reconciled to. It is generally the lazy and idle who come amongst us, which conduct the Chiefs of the Nations do not countenance, and say they cannot prevent, and wish we would. At present I am not authorized to inhibit their coming into the settlements, and can only direct them

furnished agreeably to law as a citizen would be for similar offences.

If the Trading Houses could be removed within the Indian boundary, it would tend to keep them more at home. About this establishment they will resort, and at certain times and seasons of the year in great numbers. They will depredate on the stock and crops of the inhabitants — this too without any kind of discretion, rendering the injuries less tolerable. They as frequently kill a milch-cow or a fat colt as any other kind of stock.

I am with due consideration respectfully your most ob.

Henry Dearborn esq.
Secretary of War.

Robert Williams

From the Governor to Ebenezer Claff Esq.

Washington augt 18. 1808

Sir

You are hereby informed that your commission as a Justice of the Peace for Adams County is revoked.

I am with due respect

Yr

Robert Williams

From the Governor to Shadrack Porter esqr.

Washington augt 18. 1808.

Sir /

I you are hereby informed that your commission as a Justice of the Peace for Adams County is revoked.

I am with due respect

your.

Shadrack Porter esqr } Robert Williams

From the Governor to the Secretary of the Treasury

Washington ell. T. augt 23. 1808

Sir /

During the present year several representations have been made to me as Governor relative to settlements on the public lands in the great bend of Tennessee river, within this Territory.

It is stated there are at least thirteen hundred families already settled on those lands; that they contain six or seven hundred militia organized into companies and armed. That are no laws or officers civil or military amongst them, and frequent applications are made to me on the subject.

These settlers being (as I presume) intruders, prevent my taking any measures respecting them, and such as I should were they not thus situated.

It seems proper if they are to remain (and their increase I have no doubt will be in a similar or increased ratio) that some legal authority should be extended to them — indeed to this effect are their application. Should it not be done that quarter will become an asylum for the lawless. Several applications have already been made to me on this subject. My object therefore, in making this communication, is to give the Government information, as well of those settlements, as to obtain an opinion relative to taking cognizance thereof.

It may be proper to observe that I am informed the most of those settlers are honest and well disposed, who will be as ready to yield obedience to government and laws as those of any quarter of the Union.

Writing on this subject leads me to that of the settlements now forming on public lands in the Orleans Territory. Since the last law of Congress granting the right of pre-emption to settlers on the public lands within this Territory, a rage for similar settlements in that Territory has seized the people of this and other quarters in an uncommon degree and settlements are making with unexampled rapidity. These settlements are generally made north of Red River, and principally on the margins of the navigable Mississippi, Tensas, Bœufs and Ouachita, and the lakes and bayous which communicate with them. Here the lands are high and very fertile,

and

and on a great part of which (except those on the Mississippi) there is little timber. Hundreds of acres together may be made ready for cultivation in a few hours, by setting fire to the cane and grass. I am informed from very correct sources, that about two thirds of the lands above the parallel of Natchez to the thirty third degree, and from the Mississippi to the hills, are free from inundation, and of the first quality. Were those lands brought into market they would sell more readily than any others, and the country made safe by its own and proper population.

Although the latter parts of this communication may be said not to come within the scope of my official duty, yet the fact, and transactions to which they allude being so immediately within my view, render it perhaps not improper, to thus notice them.

I am with great respect

Yr. mo. Ob.

Robt Williams

Albert Gallatin esqr.

Secretary of the Treasury.

A Proclamation.

By Robert Williams, Governor of the Mississippi Territory.

Know ye, that agreeably to the returns from the several Counties, it appears that George Poindexter esquire is elected to represent this Territory in the Congress of the United States, for the term of two years, from the fourth day of March next ensuing.

I do therefore in compliance with the law of this Territory, proclaim the same.

In Testimony whereof I have set my hand and caused the seal of the Territory to be hereunto affixed, at the Town of Washington, this third day of September, in the year of our Lord one thousand eight hundred and eight and in the thirty third year of the Independence of the United States.

Robert Williams,

By the Governor

Thos. H. Williams,
Secretary.

290 From the Governor to Col. Hawkins.

Town of Washington Sept. 4. 1808

Sir,

Your letter of the 2nd instant I have this day received. I regret extreamly the inconveniency which have occured in affording supplies to the Troops stationed on the Creek Trace, and the more so to think that men that situated, should have suffered a single day for the want of provisions. I presume the parcel will soon arrive when the Contractor will be bound to furnish— in the mean time they will be plentifully supplied with beef under the arrangement made by myself, when at the Camp last week.

I have not as yet received any answer to my communications made to the Charleen Nation relative to the outrages which caused these troops to be called out, therefore do not deem it expedient to remand them, especially as the inhabitants in that quarter would not remain at their homes in that event and until an explanation takes place with the Indians.

I have this day dispatched another special and confidential messenger to the Agency in that Nation, in case my former communications should have failed;— the result of which shall

be made known to you as soon as received.

I apprehend the force which will remain with Captain Levaine after the reduction you propose of those men belonging to the two Companies ordered for New Orleans, will be quite adequate to the purpose intended, especially as I shall not now withdraw the scouting party of mounted militia attached to that command.

I am very respectfully
Sr. most Ob.
Robt Williams

Col. Rich.d Sparks
Commanding at Fort Adams

From the Governor to John Pytchlenn

Washington September 11. 1808

Sir

On the 15th ult.o I addressed a letter to you in the absence of Mr Dinmoor the agent. Knowing the messenger charged with that letter did not proceed to the agency, but delivered it to a person he met on his return; and not having received any answer from you raises a suspicion that that communication may not have reached you: I have therefore sent Mr Foster who will hand you this: by whom I also forward a duplicate of my letter of the 15th ult.o

Mr

Mr. Foster has an Indian family, is a person to be relied on, and may be useful with you in this affair. He will take charge of any communications you have to make to me.

I have understood since the date of my former letter, that Mr Dinsmoor is not in the Nation, but is expected here every day; I must request therefore, your early attention to the subject of this communication.

You will assure the Nation of my great desire, as well as that of the President, to remain in peace, and to cultivate friendship with them. That we hope and believe that Nation is under the influence of similar desires. To obtain these great blessings so essential to the happiness and prosperity of both Nations, they must prevent their bad people from doing mischief to each other, and when they do, make satisfaction for it, and punish the offenders. Some of their bad people have come into our land and abused the inhabitants — driven them from their homes by shooting at them — broke open their houses, took their property, broke and burnt all they could not carry away, and then burnt the houses.

After this outrage a party of whites, togeth

with those whose property had been destroyed, followed the Indians to regain the property taken off — overtook them a few miles on this side of the line. The Indians immediately gave resistance, and a skirmish took place one of the white men was wounded and they retreated, the Indians pursued them — during which one Indian was killed and another wounded. It is necessary the Nation should call on these bad men, and know why they thus acted — prevent them from doing so again, and make satisfaction for the property they destroyed.

I am with respect

Yr Ob. Servant

John Pitchlynn
Interpreter to the
Chactaw Nation

Robert Williams

From the Governor to Col. Callen.

Town of Washington
September 5. 1808.

Sir

Your letter dated the 28th ult.o I this day received by express.

I am sorry to hear of the deranged state of the Militia comprising the Regiment you command. I request your immediate attention to its organization — by dividing the Regiment into as many companies as the laws

law will admit, and recommend to me the most suitable persons to be commissioned as officers.

The volunteer companies cannot or ought not to be an impediment to the organization of your Regiment, because they are not exempts from the ordinary militia duties, except when called into actual service.

You mention some hostile appearances from the Creek Indians, and request my order to obtain a portion of the public arms and ammunition. It would not be proper for me to make a requisition or give any explicit order to that effect, unless such facts existed as would justify me for so doing; and in that case I apprehend the officer commanding the United States' troops would feel himself not only bound to defend, but to afford all proper protection to the inhabitants within his reach; and that too by giving them the use of any surplus means of defence under his control at the request of the Officer commanding the militia of the county where he might be, so long as the occasion required, and until further orders could be had.

I am with sentiments of respect,

Your ob. Svt

Robt Williams

Col. John Callier

By Robert Williams Governor of the Mississippi Territory.

Deeming it expedient that a meeting of the House of Representatives of this Territory should take place at an early day, I have fixed on thursday the fifteenth of the current month for that purpose, and do hereby require the attendance of each of the members composing that body, at the Town of Washington, on the day aforesaid.

Given under my hand and the seal of the Territory, at the Town of Washington the ninth day of September in the year of our Lord one thousand eight hundred and eight, and of the Independence of the United States the thirty third.

Seal

Robert Williams

By the Governor

H. & W. Williams

Secretary.

General Orders.

Head quarters.

Town of Washington

September 5. 1808.

The Brigade Inspector will cause the Commissioned officers of the first, second, fourth and fifth Regiments of militia of the Territory, to assemble for the purpose of being trained and instructed by him, on the days and at the places following.

The officers of the first Regiment on the 16.th & 17.th instant at the Town of Washington.

Those of the second on the 21.st & 22.d at Granville. And those of the fourth on the 23.rd & 24.th at Gibson Port.

The officers of the first Battalion of the fifth Regiment on the 28.th instant at Percy's old fields; and those of the second battalion of the same Regiment on the 30. at Claiborne's store in Wilkinson County.

By order of the Commander in Chief

Chas. B. Green

Aid de camp.

(Circular)

Washington September 12. 1808

Sir,

I request that you will state to me in writing the amount received by you as Tax-collector of Claiborne County— whether in specie or Territorial paper; how much of each, and how paid into the Territorial Treasury, together with any explanatory remarks which you may think proper to make.

Sam

Govr. Ob. Servt.

Robert Williams

William H. Woodridge esqr.
Tax Collector for Claiborne County

From the Governor to Col. Cushing

Town of Washington Sept. 15. 1808

Sir

In consequence of information received from the Chactaw Nation relative to the late outrages committed by some of that tribe on the frontier settlers in Wilkinson County, I do not think proper to continue the requisition of the two companies of the United States troops in the

that quarter, any longer.

Major Stoddard is advised by me to this effect, and the Company attached from Fort Dearborn and stationed on the Natchez trace, under the command of Captain Swan will I presume be ordered by Major Stoddard to return.

I am with due respect

Yr. ob. Servt.

Robert Williams

Col. Thos. H. Cushing
Commanding &c
Fort Adams

From the Governor to the House of Representatives,

Gentlemen of the House of Representatives,

In compliance with your resolution of this day, requiring any information received from the President of the United States touching the dissolution of the General Assembly of this Territory, I have the honor to inclose for your information, the copy of a letter from the Secretary of State of the United States.

Robert Williams

Washington
Sept. 17. 1808.

Head Quarters
Town of Washington
October 4th 1808

General Orders.

The militia of the Territory will muster by Regiments on the days and at the places hereafter mentioned.

The first Regiment of Infantry at the Town of Washington on Friday the 21st instant.

The Second at Greenville on monday the 24. instant.

The Fourth Regiment on tuesday the 25th instant at Gibson Port.

The Fifth Regiment on the 29th instant at such place as the Colonel Commanding that Regiment may appoint, most convenient to the centre of the County. And the Third Regiment on monday the 31. instant at the usual place of Rendezvous.

The Regiment of Cavalry will muster on Saturday the 22nd instant at the City of Natchez.

The Commander in Chief hopes that the unmilitary practice hitetofore so prevalent of coming on parade without arms and accoutrements will be avoided; and that officers commanding companies

companies, in particular, will attend to this requisition.

By order of the Commander in Chief

Chas. B. Green

Aid de camp

From the Govenor to Theodore Stark Esqr

Washington Oct. 7. 1808.

Sir,

You are hereby informed that your Commission as Clerk of the Circuit Court of Adams County is revoked; and that James Dunlap is appointed to that Office, to whom you will deliver all the records and documents thereunto belonging.

Robert Williams

Theodore Starke esqr

From the Governor to Beverly R. Grayson esqr.

Sir, Washington October 7. 1808

You are hereby informed that your commission as Auditor of Public accounts, Clerk of the Supreme Court, and of Justice of the quorum for Adams County, are respectively revoked.

I am with due respect

Yr. mo. Ob. Servt

Robert Williams

Beverly R. Grayson esqr

From the Governor to Seth Lewis esqr.

Town of Washington October 14. 1808.

Sir

The respect I entertain for the constituted authorities of our country, and especially a department so important and respectable as that of the Judiciary, as well as the obligations I am under to support the constitutional rights of every department of the government, and to maintain those of that, with which I am supremely charged, render my situation peculiarly delicate when the powers with which I am solely vested are attempted to be assumed by others: And especially when a clashing of the respective powers of any of those Departments of Government which are spread to etc

its existence is likely to take place, and by which the most important rights of the citizen might be hazarded.

To prevent this, reason and moderation should be exercised — not an obstinate pursuance in opinions. As little should be put to hazard as possible. An appeal should be made to that tribunal competent to decide. To effect this I request that you will submit to the honorable Court this, together with the enclosed as my protest against their interference with the powers of the Governor relative to the appointment and dismission of Officers.

This appeal is made on the ground that for me to yield or surrender without the authority of a superior decision those constitutional powers properly belonging to the Executive Department, and which the duties of Office enjoin, uniform practice warranty and precedent confirm, would be a species of criminality, and to abandon the known and settled rights of the people; — to relinquish the constitutional powers of the Governors of Territories, and to release the officers thereof from that responsibility to the people which is secured to them through the agency of the President of the United States; because Territorial officers are only responsible through the Governor — agents of the General Government. A contrary doctrine tends to make the officers of Territories less responsible than those of the United States;

for if the President do not hold them responsible through the Governors, he cannot by himself.

You are requested to take the necessary steps to have this question fully and properly adjudicated.

I am with respect

Lett Lewis Esqr
Attorney General of the
Mississippi Territory.

Yr. Ob. Servt
Robt Williams

By Robert Williams Governor
of the Mississippi Territory.

Whereas the Commission of Theodore Starke as Clerk of the Circuit Court of Adams County (which appointment he held during the pleasure of the Governor of the Territory for the time being) was on the 7th instant revoked by me and James Dunlap appointed on the same day to fill that office, which revocation and appointment, the said Court have given as their opinion was not included among the powers of the Governor under the Ordinance directing that all military Officers below the rank of Generals, and all magistrates and other civil officers not otherwise provided for by said ordinance

Ordinance shall be appointed by the Governor which decision violates a principle sanctioned by more than twenty years practice in the different Territories under the same Ordinance and form of government, and approved by the General Government which has a superintending control over it's Territories and the officers thereof. And whereas this opinion of said Court has prevented the said James Dunlap from entering on the duties of his office and continues the said Theodore Stark in the exercise thereof, as I conceive, contrary to law and precedent thereby jeopardizing the rights of individuals, and rendering the proceedings of said Court as well as all other judicial proceedings within this Territory under similar circumstances so far as the interposition of a Clerk is necessary to legalize them, doubtful: To the end therefore that as little inconvenience as possible may occur I have thought proper to notify the public, and especially all officers that the said Theodore Starke is not nor has he been the Clerk of said Court by virtue of any appointment or authority emanating from the Governor of this Territory, since the said 7th instant, inasmuch as his commission as Clerk of said Court was on that day revoked by me as Governor.

Given

given under my hand at the Town of Washington this 14th day of October A.D. 1808.

Robert Williams

From the Governor to the Secretary of State.

Mississippi Territory
Town of Washington Oct. 14. 1808

Sir

By last mail I addressed a letter to the President of the united States on the subject of the selection for a Legislative Council. I had not at that time the official document of the nomination, which I now enclose.

I request the President will in making a Council, have a reference to my letter above alluded to; In addition to which I will observe that it will not be material if no appointment of a Council is made 'till December, because the Assembly will not be convened until February, as there is no business which renders it necessary, and it will be desirable the Governor should be here when they are in session, which will not be the case if they assemble before February, as I intend to North Carolina this winter, and shall return to this country by the Federal City,

and

and be there in all December.

Mr Williams is preparing & willing I should go — may wishes it if I can return by the time above mentioned.

When I left North Carolina, much of my business remained unsettled as might be expected, as most of my property I was forced to sell and that on credit. I was to have returned last fall, but the absence of Mr Williams, and unforeseen public events prevented me. I hope now to be excused in the liberty I am about to take in going this fall.

I should not have taken this liberty without your special leave, were it not that Mr Williams is Secretary, and in whom you have a full knowledge and confidence.

I am with respect

Y. Mo. Ob. Servt

Robert Williams

James Madison esqr
Secretary of State.

From the Governor, to Beverly R. Grayson

Town of Washington

October 15. 1808.

Sir,

Parke Watton is appointed to succeed you in the office of Auditor of Public accounts, to whom you will deliver all documents and Records belonging to that office.

Jam

Wm. Ob. Lenant

Robert Williams

Beverly R. Grayson Esqr.

General Orders.

Town of Washington

October 17. 1808

Sir

In compliance with a provision in the militia law of this Territory authorizing volunteer companies — Officers, for the organizing such a company, in the first battalion of the Regiment you at present command, have been appointed.

You are to observe that in organizing this

this company or any other which may be authorized within your command, no Captain's command is thereby to be reduced below the number of men required by law to compose the same. This you will please to communicate to the Captains of volunteer companies with an order that they make a return to the Commander in Chief, through the Commandant of the Regiment the number and names of the men contemplated to compose such volunteer company, and from what company of the battalion taken.

Robt Williams

Major Philip Hoggatt.

From the Governor to Beverly R. Grayson

Washington October 18. 1808

Sir

I observe by your letter of the 17th instant to Parke Watton, a disposition in you not to deliver the records, and public documents belonging to the office of Auditor of Public Accounts to him as your successor in that office.

I do therefore as Governor of the Mississippi

Territory, demand of you all the "Records and public documents belonging, or in any manner appertaining to the office of auditor of Public Accounts" and request that you will deliver them to the bearer James Dunlap esqr. who is hereby fully authorized to receive and receipt for them in my behalf as Governor aforesaid.

I am with due respect

Yours.

Robert Williams.

Benly R. Grayson esqr.

From the Governor to the Secretary of State

Mississippi Territory,

Town of Washington Oct 22. 1808

Sir

By this communication and the enclosed document marked 1.2.3 you are informed of a decision made by two of the Judges of this Territory, the novelty of which as well as the effect it is susceptible of producing, excite considerable apprehensions. My object therefore in this address is, that it may the interposition of the General Government become

spiritual

spential to the future and quiet administration of its Territorial Government, as the above division must affect them all equally alike.

As the opinions which lead to this division tend to produce a direct and radical attack on the Executive Department of this Government, to create and influence an opposition to its customary course of administration, it becomes my duty to make the same known to you, and in doing which I shall in addition to the documents above alluded to, take the liberty of subjoining a few remarks. This I do, not because I think the question dubious, or that any observations from me will aid the superior judgments of those I am addressing, but as explanatory of the motives which have dictated my administration and the course I have pursued on the present occasion.

Previously however, I will observe, that I never have been an admirer of Territorial Governments, nor of the distribution of some of its powers; although experience has gone far in proving the expediency of them, being a mere choice of evils and resulting from the necessity of government: neither have I ever thought the exercise of powers not clearly defined, or which have not become certain by precedent and usage, desirable

under any government.

With those principles and under the influence of these impressions, I entered on the administration of this government, with the expectation and under a determination to square my official conduct accordingly; and that by adhering to precedent and practice a direct course and plain track of administration would be pointed out, by which I might avoid many of the inconveniencies, and much of that responsibility attendant on giving the first direction to a government and its course of administration. In this however I have been disappointed as respects certain characters here whose objects are embarrassment. Precedent has no influence with them. What they tolerate in one they hold criminal in another. Acts they approve to day they condemn tomorrow. Their doctrine is that the end justifies the means. Nothing but an incorrect and partial administration can attach such men and their no longer than it will be subservient.

On the present occasion, in which the legality and not the expediency of the act of the Governor is called in question, it might be thought premature and unnecessarily involving the feelings of the officer dismissed, were I to assign any reasons for so doing,

doing; such observations therefore as I may make will be in reference to the legal exercise of this power by the Governors of Territories.

Notwithstanding the very great respect I entertain for the Judiciary of our country, and however I may be disposed to include the weight and influence of their superior decision in settling great political and legal questions in cases not already determined, touching even the constitutional powers of a department of the government with the exercise of which I am solely charged and responsible, I cannot for a moment hesitate to declare my total disregard to the opinion and decision of the Judges on this occasion, and shall continue to act accordingly, until otherwise advised from a superior tribunal and one competent to take cognizance of and control the Executive and superior Department of this government.

The right to appoint and revoke the commissions of Officers, having been exercised by all my predecessors and contemporaries and sanctioned by the respective administrations of the general government, left me as I conceive no

no discretion, or ground to doubt the legal experience thereof, in this branch of the government. Thus impressed I should consider a relinquishment of this right an abandonment of the duties of office, as well as a pusillanimous surrender of a superior to an inferior department of the government.

I take the freedom here to observe with due deference to the intentions, and respect for the talents of the Judges, that I presume they have not on this occasion sufficiently adverted to, and regarded those prudential rules proper to be observed in the construction of statutes, and which are necessary to ascertain what is law, and how it should be administered. Besides the letter, analogous cases, general practice and uniform precedent should be resorted to: for it frequently happens that laws of the greatest importance on being nicely pared are only half fit for execution until they receive the construction of those whose duty and office it is to administer and put them into operation. And it is not more important to a community that this construction should be correct in point of principle, than that the administration under it should be uniform in point of practice, which when once settled and in operation amongst a people, and by which their property is holden their rights have been ascertained and their liberties defended

that

that two under various administrations, acting under the same form of government, ought not to be overturned by successors in office, unless an apparent, great and general good require it; even then not without regard to the consequences, and until provision can be made to prevent the evils which might result from such a change of administration.

This reasoning will apply with much more force in administering and seeking out the meaning of constitutions and forms of government, being more in the abstract than laws, which generally have only particular and specific objects in view, beyond which an erroneous construction or execution might not extend.

Whilst my regard for the public interest creates the most anxious solicitude to have this jarring between two of the principal branches of the government brought to a speedy termination, I cannot but observe, that I am perfectly indifferent whether and how the result may affect my conduct or opinions respecting the powers I have exercised on the present occasion, and which are denied by this decision of the Court. Having acted in conformity with all my equals and predecessors and in obedience to my superiors, I trust it will not be expected that I should be so presumptuous and vain

as

as to take upon myself the responsibility of overturning their decisions; nor am I willing to acknowledge myself weak enough to yield obedience for that purpose, to an inferior power or department of the government; nevertheless, when those opinions and decisions by which I have been governed, and which I am constitutionally bound to obey, are rightfully reversed, I shall conduct myself accordingly.

Should the Court adhere to their decision and attempt to enforce the further opinions of one of the Judges (Rodney as I am informed delivered on the present occasion — Leak confining himself to the Clerkship) that the Governor could not revoke the commission of any civil officer, and doubted his authority to appoint or dismiss any officer concerned in the administration of justice — incalculable mischief might, and no doubt would ensue; because by tracing the different administrations here and in other Territories, we find a great portion of the offices holden by this tenure. Officers therefore who have been from time to time dismissed by the respective Governors of Territories, will now under the authority of this decision, contend to be inducted into office, and the proceedings under those who succeeded them, attempted to be reversed. Such are the calculations and preparations now making. Hence the expediency of knowing as soon as possible the opinion of the general administration on this question.

A

316.

A word in conclusion. Were I now about for the first time to settle the power of appointments to office under the ordinance, I could not by the letter and reason of that instrument, place the powers [illegible] of otherwise than what it has been — with the governors. His rights under the Constitution of the United States and under the Ordinance is analogous. Besides — the general Government will surely never sanction or countenance a doctrine resting on mere construction, calculated to make the officers of territories, appointed solely by governors, more independent and less responsible than their own — officers of the united States, appointed by the joint wisdom of the President and Senate. —

I have the honor to be
very respectfully
Yr. Mo. Obedt

Robert Williams

James Madison esqr
Secretary of State

Head Quarters

Town of Washington Dec. 6. 1808

General Orders.

The Brigade Inspector will on the receipt of this order, take immediate measures for obtaining a complete return of the strength and state of the militia composing the Brigade within their Juristory, and make a return of the same as soon as practicable to the Commander in Chief.

In the mean time owing to the dispersed situation of some of the Regiments composing the Brigade, regimental returns are requested to be made as soon as possible.

By order of the Commander in Chief.

Chas B. Green

Aid de Camp.

Head quarters

Town of Washington Dec. 7. 1808

In consequence of an order from the President of the United States, the Brigade Major, immediately on the receipt of this order, will cause to be raised for service, from the respective Regiments composing the Brigade, a detachment to consist of three hundred ~~men~~ and thirty five men including officers, non-commissioned officers, musicians and privates.

Each

Each Regiment composing the Brigade to furnish one company to consist of one captain, one Lieutenant, one Ensign, four Sergeants, four Corporals, one drummer, one fifer, and fifty three privates. The detachment to consist as nearly practicable of one third riflemen and two thirds infantry, to be completely equipped with arms and accoutrements fit for service including blankets and knapsacks. Each company as soon as it is organized will rendezvous at some convenient place in the district of their respective Regiments, subject to further orders. The officer to command the detachment, adjutant, quarter master, Surgeon mate, and sergeant major to be designated at some future order may direct. This detachment will be raised by voluntary offers of service or by draft; the latter mode however the Commander in Chief presumes it is scarcely necessary to suggest, when the patriotism of the militia composing the Brigade is taken into view, and the readiness and promptitude with which they have heretofore obeyed the calls of their country.

By order of the Commander in Chief

Chas B. Green

Aid de Camp

By Robert Williams Governor
of the Mississippi Territory.

Whereas, by the ordinance for the
Government of this Territory, it is provided that
for the prevention of crimes and injuries, and for
the execution of process criminal and civil
the Governor shall proceed from time to time, as
circumstances may require, to lay out the parts
of the district in which the Indian titles shall
have been extinguished, into counties and townships,
subject however to such alterations as may thereafter
be made by the Legislature.

And whereas the Indian title, have been
extinguished to a tract of country lying and being
within this Territory, principally on the north side
of the Tennessee river, commonly called the Great
Bend of Tennessee, and bounded as follows: —
beginning on the north bank of the Tennessee river
on the Cherokee boundary thence northwardly
along said boundary to the southern boundary
of the state of Tennessee, thence west with said
last mentioned boundary till it intersects the
Chickasaw boundary line thence southwardly by
along said Chickasaw line crossing the Tennessee
river twice, to the begining, agreeably to a survey
made under the authority of the United States,

within which boundaries there are several thousand inhabitants having as yet no laws or officers among them.

And it being also provided by said Ordinance, that the laws shall have force in all parts of the district — To the end therefore that the inhabitants residing in the said tract of country may have the benefits of law.

I do in compliance with said Ordinance, and for the purposes aforesaid lay out said tract of country, described and bounded as aforesaid, into one County to be called and known by the name of Madison, subject however, to such alterations as may hereafter be made by the Legislature.

Given under my hand and the Seal of the Territory at the Town of Washington this thirtieth day of December in the year of our Lord one thousand eight hundred and eight and in the thirty third year of the Independence of the United States

(Seal)

By the Governor

Robert Williams

Jno. Rice Jones

Secretary.

From the Governor to the Secretary of State

Mississippi Territory

Town of Washington Dec. 14. 1808

Sir,

In compliance with the opinion of the President of the United States, communicated through the Secretary of the Treasury, in a letter dated the 5th November, I shall immediately proceed to the appointment of civil officers in that tract of country, called the great bend of Tennessee, lying within this Territory, and to which the Indian titles have been extinguished.

Preparatory to this measure it seemed proper, agreeably to the provisions of the Ordinance, that that tract of country should be laid out into a county or township. I have accordingly done so, and inclose a copy of the document for that purpose.

Perhaps, in no part of this Territory is there more necessity for a Court of the lightest criminal jurisdiction which it affords, than in this newly created and populous county. Such a Court cannot be held there unless a Judge is appointed to reside in that quarter, as is the case in Washington County; for so great is the distance and difficulties of travelling there, from this or Washington County, that the Judges, cannot with any degree of punctuality hold Courts in that quarter. I therefore

therefore take the liberty of suggesting the expediency, nay policy of authorizing a Judge to be appointed for that County on similar principles with the one in Washington.

I have the honor to be
With great respect
&c. &c. &c.

James Madison &c.

Robert Williams
Secretary of State

P. S. The caution suggested by the President relative to Jazoo and other claimants adverse to the United States, being vested with official authority, shall be duly regarded. As I cannot at present go there myself, and am not sufficiently acquainted with the characters in that quarter, I shall commission and send from this place an active intelligent officer as Sheriff of that County, who will act in concert with Major Freeman, in ascertaining some characters to be appointed to office; and to insert their names in the commissions. Major Freeman I shall appoint a Justice of the Peace.

From the Governor to the Secretary of the Treasury.

Mississippi Territory,

Sir, Town of Washington Dec. 14. 1806

Your letter of November 5th covering the copy of a letter to Major Thomas Freeman was duly received. Enclosed is the copy of a letter to the Secretary of State, for your information relative to the objects of your letter.

The respective orders I have received from the President of the United States, and the accumulation of public business here, for a few months, prevents my intended journey to North Carolina at present.

Should circumstances admit I shall try and go on in April from the sales of the public lands on Tennessee, where I presume I shall have to attend, and then fill up the Officers complete for that quarter, as the Legislature will have been in session here, and enabled to make such alterations and further provisions for that County as may be proper.

Perhaps no man ever made the sacrafice in his private affairs as I now must make in not going to N° Carolina — but ever having been in the habit of yielding my private and individual interest to that of the public, I shall not depart under present

present circumstances from that view.

I am with great respect

Yr. Obt. Sr.

Albert Gallatin esqr.
Secr. of the Treasury

Robt. Williams

From the Governor, to Major Thomas Freeman.

Town of Washington Dec. 19. 1808

Sir,

That government and law may be extended to the people inhabiting the tract of country within this Territory on the Tennessee river, to which the Indian title, have been extinguished, I have thought proper to lay out said tract into one county by the name of Madison

The President of the United States in a communication to me through the Secretary Mr. Gallatin in which I was furnished with a copy of his letter to you of October the 25th when speaking of the appointment of officers in that quarter says— "you will pay particular attention to the character of persons appointed, and especially that none of those who lay claim under Yazoo or other supposed titles to land, may be vested with official authority."

The very limited knowledge I have of characters in that quarter, renders it improbable

I should fulfill this necessary precaution; and it would be to substitute chance for choice, were I to undertake a selection either with that view, or qualification for office in other respects.

As my official duties here will not admit of my personal attendance in that part of the Territory, I take the liberty of availing the public of your services and knowledge in this respect.

Capt Neal who will hand you this communication comes up as Sheriff of the County. There being no officer there by whom to authorize the qualification of officers, he is further appointed a Justice of the Peace. I have also taken the liberty to forward a commission for you as a Justice of the Peace, which I trust under existing circumstances you will accept.

I have forwarded by him some blank commissions for Justices of the Peace, and ask the favour of you to act in concert with Captain Neal in inserting the names of such persons as you may judge most fit to fill that office, and report the same to me that they may be recorded here — as also the date of commission.

Independently of the acquaintance you already have in that quarter, the part you are to act as Register, will afford a superior opportunity of knowing who is most likely to come within the

the exception suggested by the President as to qualification for offices

I have the honor to be

respectfully yours

Robert Williams

Major Thomas Freeman.

Town of Washington

Dec. 19. 1808.

Sir,

You are hereby requested to take the census of the County of Madison in the manner and at the time required by a law passed at the last assembly intituled "An act directing the taking the censes of the Mississippi Territory.

Given under my hand as Governor of this Territory, the day and year above written.

Robert Williams

Stephen Neal

Sheriff of Madison County.

By Robert Williams Governor of the Mississippi Territory.

Whereas the commision of Benjy P. Grayson as Clerk of the Supreme Court, and the commision of Theodore Starke as Clerk of the

Circuit Court for the County of Adams, have been
respectively revoked by me as Governor. Since which
Parke Walton has been appointed and qualified as
Clerk of said Supreme Court, and James Dunlap
has been appointed and qualified as Clerk of said
Circuit Court. Nevertheless, the said Beverly
R. Grayson and Theodore Starke disregarding the
laws by refusing to deliver over said Offices, together
with the papers, records & thereunto belonging, to their
successors, and by presuming to act as Clerks of said
Courts respectively. In order therefore, that the illegal
exercise and usurpation of Office by the said Beverly
R. Grayson and Theodore Starke, may produce
as little injury as possible; I do hereby notify the
public, and especially all Officers, that the said
Beverly R. Grayson and the said Theodore Starke,
are not Clerks of said Courts in consequence of
any authority emanating from the Governor of this Territory.

Given under my hand at the Town
of Washington this 19th day of December in the year
one thousand eight hundred and eight, and
in the thirty third year of the Independence
of the United States of America.

Robert Williams

328.

From the Governor to Captain Dent

Town of Washington Dec. 19. 1808

Sir

I am informed that several Indians of, and belonging to the party which hunted on Mr. Montgomerys' house, and committed other outrages in that neighbourhood some time ago, have returned, and threaten the perpetration of similar acts.

You are therefore authorized and directed to seek for, and arrest any Indians found on this side of the boundary, or walking along the line under suspicious appearances, and have them before some Judge or Justice of the Peace, to the end that legal enquiry may be had on their conduct, and to be dealt with according to law.

Robt. Williams

Capt. Benjamin Dent

By Robert Williams Governor of the Mississippi Territory.

Deeming it expedient that the General Assembly of this Territory should be in Session at an earlier day than is appointed by law. I have fixed on the first monday in February for that purpose, and do hereby require the attendance of each of the members composing that body at the Town of Washington, on that day.

Given under my hand and the Seal of the Territory at the Town of Washington the twenty seventh day of December in the year of our Lord one thousand eight hundred and eight, and of the Independence of the United States the thirty third.

(Seal)

By the Governor

Robert Williams

Wm. H. Williams Secry

A transcript of the foregoing from page 274 to 329 inclusively has been this day transmitted to the Department of State.

Wm. H. Williams

Washington Mi. T.
January 1. 1809

Secretary of the Mississippi Territory.

330.

Head Quarters, Town of Washington
Jan. 14. 1809

General order

The Brigade Major will cause the detachments of militia ordered to be detailed for the general order of the 14th Inst. each the details from the third Regiment, to rendezvous at Head Quarters, (the Town of Washington) on Friday the 27th Inst., where they will receive further orders

By order of the Commander in Chief
Chd B Green.
Aid de Camp

Head Quarters
Town of Washington Jan. 28. 1809

General Orders

The detachments detailed from the militia of the Territory not having convened agreable to the order of the 14th inst. in consequence of the rise of the waters, the Commander in Chief orders the details from the first, second, fourth & fifth Regiments of Infantry to rendezvous at Head Quarters on Wednesday the fifteenth of February next.

The Commander in Chief expects that trivial obstacles will not prevent the detachments from assembling on that day. The Brigade Major will be particular, and attention in carrying this order into effect.

By order of the Commander in Chief
Chas. B. Green.
Aid. de Camp.

General Orders.

Head Quarters
Town of Washington Feb. 15. 1809

Major Andrew Marschalk of the 1st Regiment is hereby appointed to the Command of the detachment of the militia of this Territory, called for by the General Government, and is ordered to take immediate steps for this organization agreable to the General orders heretofore issued

By order of the Commander in Chief
Chas. B. Green
Aid. de Camp

Message from the Governor to the Legislature

Gentlemen of the Legislative Council, and House of Representa

A dissolution of the last General Assembly having ter-
minated the existence of the Council composing one branch of that
body, prevented a meeting of the Territorial legislature at the time
fixed by law, and until a Council could be appointed, I have
therefore thought it expedient to convene you at the most early period
thereafter.

No event, gentlemen, I presume can be more auspicious, under
free governments than for the citizens to assemble by their representatives,
chosen by, and from among themselves, in a manner, and from such a
variety of sources, as to preclude the probability of the evils incident to
corruption, chance, and negligence, or this casualties to which human
institutions, and the frailties of man, are subject from operating upon
or influencing, the whole body politic at any one time: nor can we have
a more complete guarantee for our liberties, and the permanency of
our government.

To avail ourselves of the entire benefits of our government is
capable of affording, a similar spirit of toleration by which it was con
ceived, should continue to pervade all its branches, and dictate the
conduct of every member thereof — without which, the powers pro-
per by each one, and to be used as a check upon another, and by
which, the whole is brought to a balance, and preserved, would
eventuate its own destruction: — For, as men differ in feature, and in
size, so do they differ in thinking, and manner of doing the same
thing, though intended to effect similar objects. This differences
ought not always to be attributed to impure motives. Men
more frequently differ when acting under the influence of correct
principles, and proper motives, than otherwise. Virtuous attention
produces various differences, which lead to rational investigation,
the surest guide to truth, to moral, and political action, especially,
since such is the formation of the human mind, that the easiest
of interest, a similarity of manners, and of education, cannot secure
unanimity of sentiment. Hence the expediency of communing in
deliberation, and public interest, and of surrendering a portion of
our respective rights, and privileges, for the greater security of the
whole, and those of more importance; by the formation of political
associations, magnified, and ripened into forms of government

Having, gentlemen, gone through one term of service in the
administration of this government, and entered on that of a second,
since which, this is the first opportunity afforded of meeting the repre-
sentatives of the people, in General Assembly, the highest political
character we can assume; I avail myself of the opportunity
to inform you, and our fellow citizens generally, that I am
not insensible to the acts of my administration have been disappro

ence by those to whom I am immediately responsible yet I
in the fallability of man, and finding all my expectations, and
anticipations, at the time of entering on the administration
this government have been completely, and not more than fu
filled, with the single exception of having continued in offic
longer than I then intended, owing to some occurrences, which
and willing to admit might have had the public good for their aim
and not being sensible of having done any act, in the course of my
administration, which was not dictated with a view to the genera
good; the prosperity of this Territory in particular, and the indi
vidual happiness of its citizens, secured by a constitutional
exercise of the delegated powers of the people, which I am morally
and politically bound to maintain, and which, having done to
the best of my judgement, under the influence of and knowing
conscience, I have no cause to complain, - nor am I
disposed to insinuate that a disapprobation, or a legal opposition
to any act, of my administration, has been influenced by motives
less pure.

Previously, gentlemen, to directing your attention to
local objects of legislation, it may not be amiss to take a slight
view of the leading measures of the general government, at
least, so far as to authorize an opinion respecting those acts which
materially concern our territory; either from their special ap
plication, or general tendency; by which we may be enabled
to make profitable representations touching our facilities, and future
wants, and the probable success of applications for that purpose.

That the federal government has tended to rear the American
people into importance, as a nation, beyond example, will not be
denied; at the same time that the independence, prosperity, and
safety of every part, have been guaranteed. By the moderation
and wisdom of its laws, the sound policy which has directed our
relations with foreign powers, individual wealth pervades all
quarters of its jurisdiction; the affections of the citizens for its
government sustained, and its superiority over that of other
governments made manifest. Peace maintained at home and
abroad, during a period, and under circumstances that have
convulsed the world, and worked the overthrow of most civilized
governments; which, either from motives of ambition, want
of policy, or due sense of their own rights, and of justice towards
others, and firmness to support them, have been alternately
induced to take part, and aid, in the horrid scenes of human
misery, and political disorganization.

Reflecting these acts of the general government,
which tend exclusively to our territory, we have abundant
reason to approve. Its liberality touching our land titles; the
validating acts, which annul violations of public law, made

to accumulate among— an extension of suffrage, and the right of
electing our delegate to congress, by a portion [redacted] of that
community: some of which, constitute privileges, to the people
of those territories do not enjoy. These special indulgencies, together
with the national state of prosperity, create superior claims
to our confidence in the measures of the general administration.
And, it may not be unimproper, gentlemen, to embrace this occa-
sion to testify that confidence— For, although a faithful
discharge of public duties, is no more than the people have
a right to expect from their officers: yet there are times,
and circumstances, which render it policy, that, this confi-
dence, should be expressed from the source of all legitimate
political power— especially, when a diversity of opinion respect-
ing the propriety of measures adopted, by their government,
gives rise to insults, and injuries of the deepest die, and for which
no satisfaction, or honorable explanation, is afforded, is cal-
culated on, as sufficient, to defeat their operations, and render
them ineffectual.

To those who thus calculate, whether of our own, or
foreign governments, we ought to evince to them, that our politi-
cal differences arise more from a proper understanding, and
due exercise of our liberties, and privileges, we enjoy, under the govern-
ment of our choice, than from a disposition to oppose, to counter-
act— and insult— yield improper obedience, or to weaken just claims
of indemnity for injuries received.

The scenes of the leading measures of the general
government have, within a year past, checked, and cast a
gloom over our accustomed prosperity, is admitted, yet, I do not
hesitate to declare, at the same time, that I believe, no, portion
of the citizens of the United States, are more materially affected
thereby, than those of this territory; none will be found more ready
in supporting them, and to sustain with manly fortitude, the
temporary privations which are experienced— especially, when
they reflect that this state of things is the result of the important
and disagreeable alternative, either to surrender our natural
rights, and independence as a nation, to adopt the present measures,
or go into an immediate, and premature war; while up on
our enemies land, within this grasp, millions of our property.

If, however, the belligerents should continue their unjust,
and lawless conduct towards us, and thereby, render war unavoid-
able, we can console ourselves in the justice of our cause,
and of having used all due, and honorable means to avert it

wealanitis. Under these circumstances, we should have
no doubt, but what a spirit of patriotism,
which inspired our forefathers, dictated and independence, and
guarantied the political character we now assume, has been
inherited by those of the present day, and will flash conviction
and disappointment to the enemies of liberty, and lead to sim-
ilar results. And, if we advert to the causes which involved
us in the days alluded to, and compare them with those of
the present, we shall find the contrast inconsiderable, except
that they now exist against an independent nation. One of
the sources of insult, and injury, is the same, and from which
most of our present, and impending evils flow. Our rights as a
nation, have been shamefully violated; our citizens wantonly
murdered, in sight of our shores, and within our own jurisdiction
remonstrances against those acts have been disregarded, and treat-
equivocally - that satisfaction which justice, and the usages of
nations, particularly, those of one of the offenders in the present instance
taught us to expect, would have been readily afforded, has been
insidiously evaded, or refused, while proof of the immediate
authors, and perpetrators of these wrongs, have been rewarded,
instead of punished, by their government; as was the case in the
days which gave birth to that spirit, which burst the bands
of political oppression, and secured our independence.

We ought also, gentlemen, to console ourselves, that no
section of the union can the inhabitants be better supplied
from the products of their own labour, among themselves, than
in this. Our soil, climate, and situation, afford superior
advantages. We can raise with less labour almost every
article, the growth of the United States, in great abundance,
including many which constitute the customary luxuries - in
addition to which, we are favoured with an inland navigation,
more than equal in extent to that of our atlantick coast.
and by which we can receive, and exchange the products of more
than twenty degrees of latitude, and be supplied with the northern
manufactures. It is true, we feel now the effects of any sudden
check of commerce than most of our agricultural brethren;
in proportion as we make more for exportation.

I will now proceed, gentlemen, to consider some of the most
important objects requiring legislative aid. The first to which
I shall advert, is seminaries for the education of youth in
our country: although unsuccessful in my attempts heretofore,
I cannot omit again earnestly to solicit the attention of

the General Assembly to this subject? These institutions, and the useful influence under the care and superintending control of the public authorities. Perhaps this is the more important in a country, wherein many parts the state of population, and the dearth of individuals, will not, without the commencement, and support of schools. It certainly behooves us, gentlemen, to second the views of the general government, and to avail the public of its liberality in this respect — it has not only made extensive, and valuable donations of real property; for the support of a principal seminary of learning in our country, but others, of a proportionate value for the establishment & support of schools in every part thereof; and it devolves on us to give effect to these donations. Any attempt to press on your minds, the importance of education, I conceive to be unnecessary — let it suffice to be observed, that on it depends the improvement, and expansion, of the intellectual powers; the maintainance of moral, and religious principles; the support of our government, as well as our present, and future happiness.

Permit me, gentlemen, next to call your attention to our militia laws. Small amendments at present might remove the defects which experience has pointed out in the system. In a country, however, situated as our territory is, at present, in points of population; the inhabitants few, and dispersed over a country several hundred miles square; attached by extensive tracts for settled by Indian tribes, it is not to be expected that, that discipline essential to an efficient militia, can be kept up. — And we ought to adapt our laws, as much, to accommodate such circumstances to the situation, and circumstances, of those on whom they are to operate, as profitable, and with a view to the probability of a faithful execution thereof. It is a mistaken policy to pass laws, or keep them in existence, which they are not executed.

I deem it unnecessary, gentlemen, to illustrate, by argument, or example, the policy of militia, and that of its preference, in a free government, to any other force as the ordinary means of defence, resting satisfied this assembly is as fair appreciation by you, as to secure that attention the importance of the subject demands. As the laws authorizing patrols, are included among those of the militia, I take the liberty of calling your attention to that subject in connexion therewith. Such, gentlemen, is the character, of a great portion of our population, as to render it highly proper, under the probable approaching state of things, that a strict

police should be kept up in this respect — more so than can be
at present consistently with the public interest. By the existing
laws, there seems to be no proportion between the compensation
for patrol, and militia service, although somewhat similar,
and to be performed by the same men. To keep up an efficient
patrol in the territory, would cost from twenty, to thirty thou-
sand dollars / year.

The laws respecting public roads, and highways,
also need revision. The inconveniencies experienced by the
inhabitants generally, ought sufficiently to urge the necessity;
in some neighborhoods, the loss experienced within a
year past, for the want of bridges of inconsiderable cost, com-
pared to the object, have been nearly equal to the sums requisite
to build them. I apprehend a radical change in the laws on
this subject will be found necessary — that some individual
should be charged with making, and repairing bridges, and
public roads, with adequate compensation for their services,
under a proper responsibility — this to be done at the territorial
or county expense — perhaps that of the former may be thought
most equitable, when we take into consideration, our present
state of population. In the frontier, and thinly settled counties,
where the inhabitants, are at so great a distance from market,
roads, and bridges are most wanted; yet the people, from the
situation, and scarcity of their numbers, are not able to make
them, or to sustain any expense for that purpose; most of them
having lately removed to the country, their lands to pay for, and
all their improvements to originate — whilst those in the old
settled parts do not experience these embarrassments; being near
to markets, and forming a compact, and wealthy population.

Even one road, leading from any principal market (Natchez)
through each of the frontier counties, or districts, would
greatly accommodate the inhabitants generally, as
well as of those particular parts, increase our population
by encouraging emigration; thereby promoting our political
maturity. I know it is common to place this subject among
the important objects of Legislation, but in my opinion, very
erroneously — for, in proportion to the facility, and safety, with
which the products of our labour can be conveyed to market,
will their price be enhanced, consequently, the value of lands
increased. —

[illegible] is proper, gentlemen, to remind you that since the last General Assembly, new counties and [illegible] settlements have been formed in the great bend of the Tennessee river, within this territory; which, having been recognized by government, I have thought proper, for the convenience of the inhabitants there, to lay out into one county by the name of Madison. I am informed this county is, perhaps, little inferior, in white population, to any other in the territory. The exact numbers, however, can only be known by actual enumeration, as the sheriff of that county is instructed to take the census conformably to a law of this territory, for that purpose with other counties.

That the citizens of that county may enjoy their constitutional privileges, and have the full benefits of laws extended to them, in common with those of other parts of the territory, it will be proper we should pass the necessary laws, authorizing the customary courts to be holden with their respective jurisdictions, in that, as in other counties, and to afford them a total proportion of representation.

I will now, gentlemen, draw your attention to the fiscal affairs of the territory. For more complete, and attentive information, on this subject, I take the liberty of referring you to the reports of the Treasurer of the territory, and auditor of public accounts. I am happy, however, to find the payment of territorial debt, so far effected, that the tax now levied, and collecting, will be equal to the discharge of the balance, including the current, and probable expenditures of the present year; and leave a surplus of several thousand dollars in the treasury.

It appears that on the first day of January, in the year, one thousand, eight hundred, and nine, the whole amount due by the territory, was eleven thousand, one hundred, and eighty five dollars, thirty four cents, of which sum, two thousand, eight hundred, and forty eight dollars, and forty eight cents remained in the hands of delinquent officers, leaving only six thousand, one hundred, and thirty six dollars, fifty three thirty fourths of a cent, actually due by the territory: Of this those delinquencies arised from a defect in the laws, or mal-execution, is worthy of your consideration.

I cannot omit, gentlemen, while on this subject to call your attention, in a special manner, to those parts of your laws, regulating the collection of the taxes. Laws, and especially such as are general in their operation, as those of this nature, should be well formed, and guarded, as much as possible against partial execution,

or one which will enhance the emoluments of office, beyond what was intended; that, too, at the individual expense and inconvenience of the community, and to diminution of the public credit.

In some counties, after certain periods, territorial paper has been refused in payment of taxes, the laws not being sufficiently explicit to exclude the possibility of such a construction. That one might turn out the proportion the specie collected, for taxes, bears, to that paid into the treasury, I called on the respective collectors, and find that has been collected from the four counties on the Mississippi (no answer having been received from Pigby) about twenty five hundred dollars, of which sum, five dollars, ninety nine and one quarter cents only have been paid into the treasury.

It also appears, that certain individuals, whose public situations, and thereby confidence of the people, entitle, perhaps, to favor, and influence, have received, abroad, from collectors, considerable sums in specie which had been collected for taxes, while others, differently situated, were necessitated to part with paper of the same kind, and long and vast discount— even one hundred per cent. to pay taxes of the same year; and the treasury itself is now enabled to meet small demands, in specie, incurred in obedience to your own laws, and for the most useful public purposes. Permit me, gentlemen, to further suggest the propriety of extending the time for paying the taxes of the present year, and of confining the collection of the ~~present year~~ territorial revenue, solely to the collectors appointed for that purpose— that of transferring it to others after certain periods is found to be embarrassing to the revenue, vexatious to the people, and more expensive than a well regulated system of revenue ought to be. Perhaps the most eligible way, to prevent the practices alluded to, is to enact, that the payments of the revenue, into the treasury, shall be made by the respective collectors, receiving, whether in specie, or territorial paper, and that demands on the territory shall be paid at the treasury only.

To sustain the affections of a people for their government, it is as important the operations of their laws should be equal, and their execution impartial, as that they should be mild, and correct in principle. Where this is not the case, whether from defect, or mal administration, inconveniency,

and hardships, trivial in themselves, create discontents, to those of a magnitude, and which the public exigencies may from time to time render expedient, will be submitted to with chearfulness - neither can we always indulge the people at large, to discriminate between hypocrisy, or insincerities resulting from and abuse in the execution of laws, and those arising from defects in the laws themselves.

It is proper, gentlemen, I should inform you that the last General Assembly having omitted to make any provision for printing, and publishing the laws, and journals of their sessions, I have taken upon myself the responsibility of having the laws revised, and published, as usual. As to the journals, which are of no intrinsic value, except that of affording to the public, information touching the intermediate proceedings of the respective branches of the legislature, and the conduct of individual members thereof, I did not think it expedient so far to forego the determination of the representatives of the people themselves, as to incur the expense of printing them. Estimates, shewing the expense of printing those laws, together with that for binding the digest of the Statutes of the Territory, and Magistrates Assistant, will be laid before you by a subsequent communication, that appropriation may be made for defraying them.

You are not to conclude, gentlemen, that by my suggesting, for your consideration, a few subjects only, there are no others of equal public concernment, requiring your attention, and may have escaped my notice; all of which, I confidently rely, will be embraced in your deliberations, and acted on with that candour, and independence, calculated to promote the public weal, meet the just expectations of the people, and becoming the body we constitute.

You are, gentlemen, also assured of a sincere disposition on my part, to unite with you, and to give all that support to your proper determinations, which the constitutional powers I possess will enable.

(Signed) Robert Williams

Feb. 9th 1809

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Town of Washington

Head Quarters Feb. 17. 1

Sir

Orders received last evening from the President of the United States, ninded me to prepare my order of the 15th inst. should be immediately executed; your detachment to rendezvous at this place, ready to march agreable to further order. You are further authorized to complete the number of your detachment by voluntary enlistment in any part of the Territory

Robert Williams

Major Andrew Marschalk
Comm.r of 1st detachment
of the Mississippi militia

From the Governor to the Legislature

Gentlemen of the Legislative Council, and House of Representatives

Conformable to the suggestion in my communication at the commencement of the present session, I now lay before you the accounts of Messrs Marschalk, Hilton, & Co. for printing the laws of the last session of the General Assembly, and for binding the Digests of the statutes of this Territory, and Magistrates assistant.

As to printing the laws, perhaps it may be proper I should inform you this work was done by Mr. Marschalk with a view to the usual compensation allowed by law for printing the laws of the preceding session

Robert Williams

Feby 25. 1809.

From the Governour to Daniel Burnet Esq.

Feb. 28. 1809

Sir

In answer to a resolution of the Legislative Council respecting the acceptance by Thomas Calvit Esq. of the appointment as a member of that body, you are informed that a correspondence has commenced by, and with Mr. Calvit on that subject the result of which, when known, will be communicated to the proper authorities vested with the appointment of that branch of the Legislature, which can alone, and enforce the attendance of its members as the case may be

I am &c

Robert Williams

Daniel Burnet Esquire,
President of the L. Council.

From the Governour to John W. Wilson Esq

March 3. 1809

Sir

You are hereby appointed to print the laws of the United States agreeably to the acts of Congress for printing them in the respective States and territory

Robert Williams

John W. Wilson Esq
Natchez.

From the Governour to the Legislature

Gentlemen of the Legislative Council, and House of Representatives

I have the honor to lay before you an account for copying the laws of the last General Assembly to be furnished the printer, and request that the necessary appropriation may be made for defraying the same

Robert Williams

March 3. 1809.

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From the Governour to the Legislature

Gentlemen of the Legislative Council and House of Representatives.

Conformably to an opinion formed some time since of resigning the government of Territory after the third instant, which being made known to the general government, induced a hope that a successor would have arrived ere this.

That not being the case, I inform you that I shall not continue to act as Governour of the Mississippi Territory after this day; and in order that my successor may come into office under the most favorable circumstances which the nature of the case will admit of; and meet the full suffrages of the people in their representative character, unbiased by the various motives, and dispositions under which the representation constituting the present General Assembly may have been influenced; - and inasmuch as a great portion of the citizens of this Territory Leis no share in the present representation,

I do therefore dissolve the present General Assembly of the Mississippi Territory

Given under my hand this 3.d of March 1809

Robert Williams